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**OAKLAND UNIFIED
SCHOOL DISTRICT**
Community Schools, Thriving Students

Board Cover Memorandum

To Board of Education

From Kyla Johnson-Trammell, Superintendent
Jenine Lindsey, General Counsel
Kelly Krag-Arnold, Director, Office of Charter Schools
Madison Thomas, Deputy Director, Office of Charter Schools
Marwa Doost, Compliance Specialist, Office of Charter Schools

Meeting Date May 22, 2025

Subject Update on 2024-25 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 (“CMO”) 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 OUSD Board-approved charter petition. As of May 22, 2025, the Office of Charter Schools has issued 13 total Notices of Concern in the 2024-25 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 2024-25 Notices of Concern by Issue Area
- Appendix II: List of 2024-25 Notices of Concern

2024-25 Complaints & Notice of Concern Summary

OUSD Office of Charter Schools

May 22, 2025



**OAKLAND UNIFIED
SCHOOL DISTRICT**

Community Schools, Thriving Students

Agenda

- 2024-25 Complaint Summary
- 2024-25 Notices of Concerns Summary
- Questions

Complaint Intake

- Complaints reach the Office of Charter Schools (OCS) via email at charteroffice@ousd.org and through the OCS phone line at: **(510) 879-1677**
- We also receive complaints forwarded from OUSD board members, the OUSD ombudsperson, the Superintendent's office, and other OUSD offices
- The OCS website contains a comprehensive explanation of the complaints process

Complaint Process

- Complaints are primarily self-reported by complainants; OCS records complaints but does not verify them.
- OCS logs complaints and refers the complainant to the appropriate charter ombudsperson or resource.
- Schools and CMOs are responsible for addressing the complaint and following their Uniform Complaint Procedures (if applicable).
- OCS follows up with the school's ombudsperson to ensure that the school/CMO is aware of the complaint.

Complaint Follow Up

- OCS regularly follows up with past complainants to check on the progress/status of the complaint.
- The OCS team reviews complaints and may follow up with a Letter of Inquiry if there are concerns regarding a potential violation of Education Code or local/state/federal law.
- If a charter school does not follow their established complaint procedure and/or if OCS determines that the school violated Education Code, their charter petition, or local/state/federal law, OCS may send a Notice of Concern.

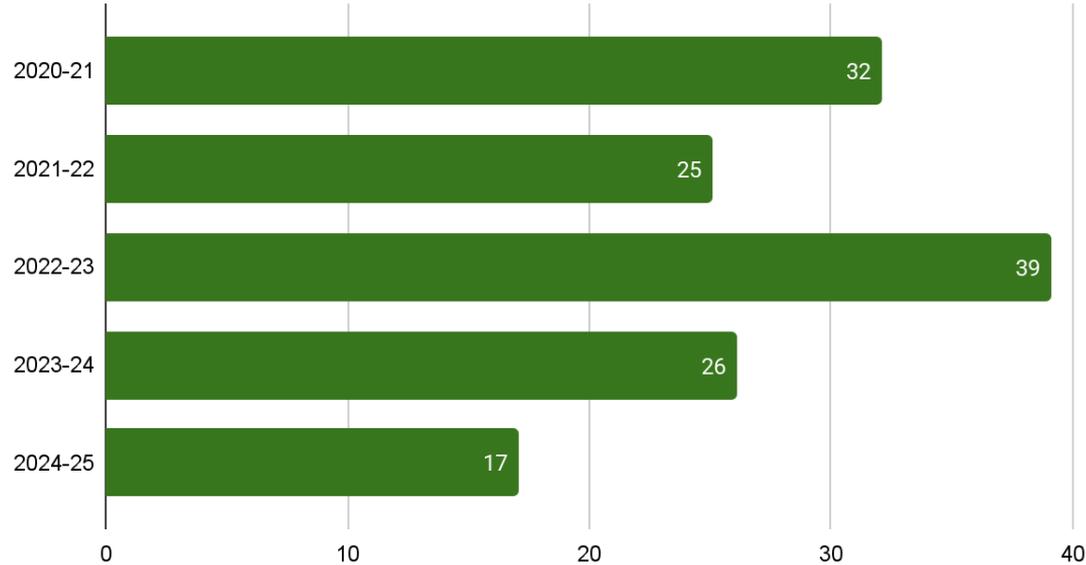


2024 -25 Complaints Summary

2024 -2025 Historical Complaints

In the 2024-25 school year, OCS received 17 complaints from staff, families, and community members.

Complaints over the past 5 years



Complaints by Category

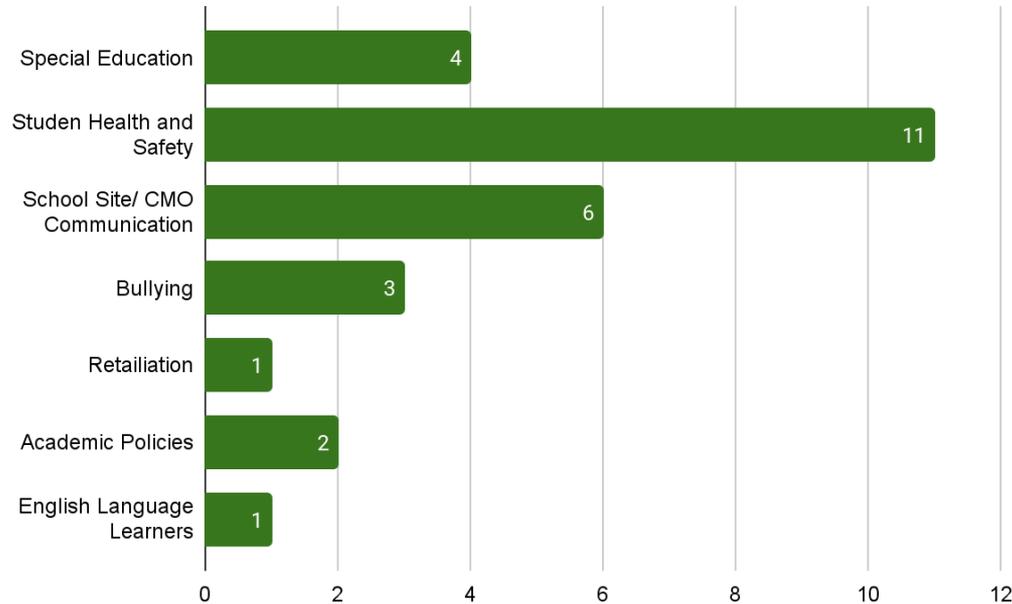
The 17 complaints received during the 2024-25 school year* represented the following categories/concerns:

- Student Health and Safety
- Bullying
- Academic Policies
- English Language Learners
- Special Education
- Retaliation
- School Site/CMO Communication

**Complaints reported between 7/1/24 to 5/5/25.*

2024 -25 Complaint Categories

Of the 7 categories, “Student Health and Safety”, School Site/CMO Communication” and “Special Education “” were the most common concerns.





2024 -25 Notices of Concerns Summary

Definitions

Letter of Inquiry (LOI):

A formal request to a charter school leader by OCS for more information regarding a potential violation of federal, state, or local laws or regulations.

Notice of Concern (NOC):

A notification to a charter school by OCS regarding a violation of federal, state, or local laws or regulations.

- The Office of Charter Schools (OCS) is typically made aware of a violation through our internal monitoring process, fiscal audits, complaints, referrals from OUSD staff, or the charter school itself.
 - Common examples: enrollment violations, Brown Act violations, or fiscal concerns

Content of a Notice of Concern

Notices of Concern include three major components:

- Background
- Violation description
- Remedy

Notice of Concerns are tiered:

- Minor
- Moderate
- Severe

Remedies for Notices of Concern are unique to each violation, but generally contains the following:

- Immediate correction of violation
- Violation debrief to OCS
- Enhanced oversight procedures

Tiered Accountability System

Beginning in the 2023-24 school year, OCS updated the NOC process to make the severity of a violation clear to both charter school leaders and the general public.

Notice of Concern <i>Tier: Minor</i>	Notice of Concern <i>Tier: Moderate</i>	Notice of Concern <i>Tier: Severe</i>	Notice of Violation
Indicates a lower level compliance violation; typically a first-time offense	Indicates a repeated lower level compliance violation or a moderate violation regarding one of the four oversight categories	Indicates a repeated moderate level compliance violation or a high-level violation regarding one of the four oversight categories	First step in the revocation process; may be initiated if school fails to remedy issues in Severe Notice of Concern or if the violation is deemed egregious enough to require immediate action be taken.

Process

1. OCS is made aware of an issue (via complaints, staff referrals, oversight processes, etc.)
2. Due diligence
 - Typically includes consultation with legal counsel, a letter of inquiry sent to the relevant charter school staff, and/or outreach to third parties
3. Notice of Concern draft/review
 - OCS staff writes, determines tier, legal counsel reviews
4. Notice of Concern sent to charter school
5. Remedy follow-up / enhanced oversight
6. (If significant concerns exist) In more extreme cases, additional steps may include:
 - District-appointed charter board appointee
 - Notice of Violation (first step in revocation process)

2024 -25 Letter of Inquiry Summary

In the 2024-25 school year, OCS sent out a total of 12 Letters of Inquiries. Approximately 8 of the LOIs resulted from referrals by charter school staff and through OCS's oversight or audit procedures, with the remainder coming from outreach to OCS by parents, OUSD employees, or ACOE staff.

LOI Breakdown by Oversight Categories



2024 -25 and Historical Notices of Concern

In the 2024-25 school year, OCS sent out a total of 13 Notices of Concerns.



2024 -25 Notices of Concern Summary

Category	Total	Individual Notice	Tier
Governance	2	47607(e) 30 Day Notices	Severe
	2	Brown Act Violation	Minor
Fiscal	2	23-24 Audit Finding	Moderate
	1	Late 23-24 Audit	Moderate
	1	Deficit Spending	Moderate
Operational	2	Exposure of Staff/Student Personal Information	Severe
	1	Missing TB Affidavit Documentation	Moderate
SPED	1	Special Education Services	Moderate
Enrollment	1	Exceeded Maximum Enrollment	Minor

NOC Trends Observed in 2024-25

- There was a slight increase in the number of NOCs issued compared to the 2023-24 school year (13 NOCs in 2024-25 vs 10 NOCs in 2023-24).
- There was an increase in NOCs issued regarding Governance and Operational concerns in 2024-25 compared to 2023-24. In particular, in 2024-25 there were 7 total NOCs issued compared to 4 for Governance/Operational concerns in 2023-24.
- The majority of NOCs issued were regarding governance, operational, and fiscal concerns including the issuance of 30 day notices, Brown Act violations, and 23-24 Audit Findings.

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Thank You!

Appendix I: Summary 2024-25 Notices of Concern by School/Charter Management Organization (CMO)

Notice Tier	Notices of Concerns Sent
Minor	3
Moderate	6
Severe	4

School/CMO	Governance	SPED	Operational	Fiscal	Enrollment	Total
AIMS CMO	1		2			3
American Indian Public Charter School II (AIPCS II) (K-8)	1					1
Amethod Public Schools (AMPS) CMO				1		1
Oakland Charter High School	1					1
Aspire CMO				1		1
Aspire Berkley Maynard Academy		1				1
Lighthouse CMO				1		1
Francophone Charter School				1		1
Unity Schools CMO	1					1
Oakland School for the Arts			1		1	2
Total	4	1	3	4	1	13

Appendix II: List of 2024-25 Notices of Concern

Date Sent	CMO/School	Category	Tier	Description of Concern	Resolution
5/13/25	Aspire Berkley Maynard Academy	Special Education Services	Moderate	Charter school acknowledged that it violated the 60-day timeline for processing a student's IEP after receiving parental consent for assessment, in accordance with Education Code §56043(c).	Pending response from the charter school due to OCS by June 6, 2025.
3/17/25	Unity Schools CMO	Brown Act	Minor	Charter board went into closed session without properly labeling and agendaizing the closed session items to be discussed on its board agenda for its February 12, 2025, board meeting.	Charter school acknowledged the Brown Act violation and confirmed there was no action taken during closed session, and therefore, no need to cure and correct the violation.
3/7/25	AMPS CMO	Late 23-24 Audit	Moderate	CMO did not submit its annual financial audit by December 15th, as required by California Education Code.	CMO acknowledged concerns and responded to all remedies, including sharing its plan to hire staff to support with timely financial reporting and improvement with internal controls and closing procedures.
2/20/25	Francophone Charter School	Deficit Spending	Moderate	Charter school incurred deficit spending in the last two fiscal years for 2023-23 and 2023-24 and was projecting further deficit spending in 2024-25 based on the 24-25 first interim.	Charter school responded to all remedies, submitted all requested documents, and outlined a plan to both decrease costs and increase revenue which projects their ending fund balance to be above the 5% minimum reserve.
2/14/25	Aspire CMO	23-24 Audit Finding	Moderate	CMO had an audit finding that was identified as "Material Weakness in Internal Controls over Financial Reporting."	CMO acknowledged the concern and provided explanations for the material weakness and shared specific steps that the CMO is taking to ensure the error does not occur again.
2/14/25	Lighthouse CMO	23-24 Audit Finding	Moderate	CMO had an audit finding that was identified as "Material Weakness in Internal Controls over Closing Process."	CMO acknowledged the concern and complied with all remedies, including aligning its financial closing timelines with the 2024-25 audit schedule to ensure timely finalization of its books and advance preparation of all documentation to prevent similar issues.

2/5/25	Oakland School for the Arts	Enrollment	Minor	Charter school exceeded its maximum enrollment limit of 805 students as outlined in its OUSD Board-approved charter petition, with a current enrollment of 830 students as of Census Day.	Charter school acknowledged the concern and responded to all remedies, including sharing that its enrollment has returned to below the maximum enrollment limit.
2/5/25	AIMS CMO	Brown Act	Minor	The agenda for the AIMS Special Board Meeting scheduled for January 16, 2025, had not been publicly posted on its website or in its Google Calendar 24-hours in advance notice.	CMO confirmed they will review and abide by all Brown Act requirements in the future. However, AIMS maintained that the agenda was posted and accessible in a timely manner.
12/6/24	AIMS CMO	Second Exposure of Confidential Information	Severe	CMO posted a student's individual services agreement plan in board packet materials for the November 26, 2024, board meeting.	CMO acknowledged the concern, and noted that data privacy remedies from the first notice issued by OUSD on October 17, 2024, are still in progress. The CMO also shared a memorandum on its privacy redaction procedures, which was stated to be reviewed at the January 8, 2025, board meeting.
11/13/24	Oakland Charter High School	Education Code §47607(e) Notice	Severe	30 Day Notice was sent to OCHS upon renewal submission due to substantial fiscal and governance concerns in accordance with Education Code 47607(e).	Charter school acknowledged the notice and submitted a corrective action plan.
10/23/24	AIPCS II (K-8)	Education Code §47607(e) Notice	Severe	30 Day Notice was sent to AIPCS II upon renewal submission due to substantial governance concerns and concerns regarding whether the school is serving all students who wish to attend in accordance with Ed Code 47607(e).	Charter school acknowledged the notice and submitted a corrective action plan.
10/23/24	Oakland School for the Arts	Tuberculosis Documentation	Moderate	Oakland School for the Arts confirmed it does not have Tuberculosis ("TB") documentation for approximately 16 of its staff members on site, which is in violation of Education Code §49406.	Charter school acknowledged the concern and responded to all remedies, including ensuring they had proper documentation on site for all employees and contractors.

10/17/2024	AIMS CMO	Exposure of Confidential Information	Severe	CMO exposed staff and student personal information in board materials posted online, dating back to May 2018, in violation of Civil Code §1798.85 and the Family Educational and Privacy Rights Act ("FERPA").	CMO acknowledged the concern and shared a root cause analysis for posting personal information online, citing failure to review documents for personal information before publishing on BoardOnTrack. Corrective actions included hiring a new executive assistant, implementing a policy on redacting personal information, and providing additional board training.
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