



Via email to gsudaria@ravenswoodschools.org

March 11, 2019

Ms. Gina Sudaria
Interim Superintendent
Ravenswood City School District
2120 Euclid Ave.
East Palo Alto, CA 94303

RE: Response to Proposition 39 Preliminary Proposal (2019-20)

Dear Ms. Sudaria:

KIPP Valiant Community Prep (“KIPP”) appreciates receiving the Ravenswood City School District’s (“District”) February 15, 2019 preliminary proposal of Proposition 39 facilities for the 2019-20 school year. We appreciate the District’s consideration of our facilities request, and the cooperation we have consistently received from the District. To that end, KIPP agreed to extend the Proposition 39 timeline in hopes of negotiating a facilities agreement directly with the District. We now respond to the District pursuant to Section 11969.9(g) of the Proposition 39 Regulations, and the mutually agreed-upon timeline, to express our concerns with the District’s proposal and to make counter-proposals.

We understand the District’s proposal would allocate us 22 classrooms next year based on our 487.44 in-District ADA. We appreciate the District’s concurrence with our ADA projections, and we agree with the 22 classrooms as teaching stations for our students. We are concerned, however, with the District’s proposal to split the classrooms between the non-contiguous Brentwood Academy and Ravenswood Middle School campuses because it is not consistent with your statutory obligations to in-District students who have selected the charter as their school.

Proposition 39 requires that the facilities allocated by the District shall be contiguous. Facilities are “contiguous” only if they are contained on the school site or immediately adjacent to the school site. The District historically complied with this requirement by allocating us facilities on the Brentwood Academy and Los Robles-Ronald McNair Middle School campuses, which are immediately adjacent to each other at the same site. The District’s proposal for next year violates this requirement because it would move half of our school to another campus that is not contiguous, which detrimentally impacts our educational programs, our teachers and staff, and our students and families.

We wish to remain at our current Brentwood/Los Robles - McNair site, and we remind the District of its obligation to make reasonable efforts to provide KIPP facilities near to where we requested, and the prohibition against moving us unnecessarily. We acknowledge that the District adopted findings with a purported necessity for moving us, but the findings considered where space is available for us while maintaining the status quo for the District's programs. The District cannot manufacture a "necessity" to move KIPP from our desired location based on avoiding impacts to its programs. To the contrary, the District must give the same degree of consideration to the needs of KIPP's students as it does to students in District-run schools. Courts have held that accommodating a charter school might involve moving district-operated programs or changing attendance areas, and that providing a charter school contiguous facilities might require disruption and dislocation among district students, staff and programs.

The Brentwood/Los Robles-McNair site can accommodate our students next year with only minor adjustments to the existing District's programs, which we feel has the lowest impact on the District as a whole, while minimizing the impact on the KIPP community as well. We therefore request, as a counter-proposal under Proposition 39, that the District allocate us the exclusive use of 15 classrooms at the Brentwood campus and 10 classrooms at the Los Robles - McNair campus, for a total of 25 classrooms. This includes the 22 classrooms the District offered us as teaching stations, plus three additional classrooms for special education and intervention services. The District's proposal for shared access to special education space does not allow us to provide our educational program in conditions that are reasonably equivalent to conditions at the comparison group schools. We feel that exclusive space for special education and intervention services, both of which require some confidentiality, is best for both District students and KIPP students.

We believe the most productive solution is this counter-proposal, wherein we propose an increase of seven classrooms from our current space at the Brentwood/Los Robles-McNair site. We have identified seven available classrooms at the site that minimize adjustments to the District's programs, and we therefore request the following:

- Brentwood campus: We request one of the three special education rooms, one of the two reading recovery rooms, the classroom that is currently occupied by only the Playworks recess coordinator, and Room P35, which is currently unoccupied. The District would continue to occupy two of the three special education rooms, the other reading recovery room, and the Playworks coordinator could share another space on campus, such as the classroom that is currently used by the All Students Matter volunteers.
- Los Robles-McNair campus: We request the one of the two ASES classrooms, the staff lounge, and the 8th grade classroom that will be unoccupied next year. The District would continue to occupy the other ASES classroom and its separate teacher room.

Our counter-proposal ensures the District complies with its Proposition 39 obligations because it allocates us contiguous facilities, where we wish to be located, and it does not move us unnecessarily. It also avoids the expense of installing portable classrooms at the site by fairly sharing the existing facilities, which is required by Proposition 39. We evaluated the number of

classrooms available at the site, and our counter-proposal is an equitable split between KIPP and the District based on our respective enrollment figures for next year. Our proposal also minimizes disruption for the District, as we remain at our current location, and avoids the disruption to Ravenswood Middle School by moving us onto that campus.

Finally, we request that the District provide further documentation of how it calculated its District-wide facilities costs and our pro rata share. The \$1,052,830.43 that the District proposes to charge us is a significant increase from the 3% oversight fee we currently pay. We are concerned there may be errors in the District's calculations. For example, the District proposes to charge us the same \$1.40 per square foot rate for our exclusive space and the space we would share with the District, rather than splitting the costs between KIPP and the District based on proportionate use. The District also proposes to charge the same rate for all space allocated to us, even outdoor space and fields where the District's maintenance costs are significantly less than other spaces on the campus. Our proposed charge represents one-fifth of the District's total facilities costs, which is disproportionate to our occupancy of only a portion of two of the District's nine campuses.

We thank the District for its cooperation with our facilities request, and its consideration of our concerns and counter-proposals in this letter. We look forward to working together to develop a final offer that addresses these concerns and counter-proposals, and is consistent with Proposition 39 in time for the issuance of the final notification of facilities by April 1, 2019. We would also welcome the opportunity to work with the district at the appropriate time to engage in discussions for a facility solution for the 2020-2021 school year, when Valiant will fulfill its TK-8 charter

Please contact me if you have any questions, and we look forward to your reply.

Sincerely,



Adam Kaye
Director of Real Estate
KIPP Bay Area Public Schools

cc: Mahendra Chahal, Director of Maintenance, Operation and Transportation
Mary Bates, Facilities Consultant