

ALAMEDA UNIFIED SCHOOL DISTRICT
Excellence & Equity For All Students

Matt Huxley
Executive Director
Academy of Alameda Charter School (AOA)
401 Pacific Avenue
Alameda, CA 94501

March 18, 2015

Re: Academy of Alameda Middle School Charter School Request for Proposition 39 Facilities
Alameda Unified School District Final Facilities Offer

Dear Mr. Huxley:

Below is the Alameda Unified School District's ("District") final offer regarding the space to be allocated to The Academy of Alameda Middle School ("AOA Middle School") for the 2015-2016 school year in accordance with Education Code 47614 and Title 5, California Code of Regulations ("CCR") sections 11969.1 through 11969.11, as amended (the "Final Offer"). The District's allocation of space in the Preliminary Proposal is based on AOA Middle School's request for a projection of 378.24 in-District classroom ADA. This Final Offer only pertains to the 2015-2016 school year.

It is the District's understanding that the Chipman Middle School campus is the preferred site for AOA Middle School. The District has considered AOA Middle School's request to remain on the Chipman campus with its current configuration and has prepared a Final Offer that reflects that request. For the 2015-2016 school year, AOA Middle School will continue to share the former Chipman Middle School facility with another charter school, Academy of Alameda Elementary School ("AoA Elementary"), and with other AUSD programs. The District continues to offer the AOA Middle School the majority of classrooms and space at Chipman Middle School site.

In the AOA Middle School's Proposition 39 request for facilities, AOA Middle School requested to continue in its current location at the Chipman campus.

- AOA Middle School's projected enrollment entitles the program to 17 classrooms and 8 specialty rooms. This is an increase of 2 specialty classrooms from the 2014-15 school year. On January 23, 2015, AOA Middle School revised its initial request for facilities by waiving its claim to two specialty rooms (library and learning center). AOA represented that it did so in order to secure the use of specific classrooms (room 103 (C6), 105 (C7), 110 (C8) and the portable (PC1)) for the AOA Elementary School program.
- The Preliminary Proposal that the District submitted to AOA Middle School on January 28, 2015, included the current space used by AOA Middle School including all of the 17 classroom spaces, 6 specialized classroom spaces that AOA Middle School requested and non-teaching space (including office space and shared access to the gymnasium and athletic facilities).
- On February 27, 2015, AOA Middle School responded to the AUSD preliminary facilities offer and requested that the District provide the specific classrooms to AOA Elementary that are documented in your January 28, 2015 letter in light of AOA Middle School having waived any claim to the two additional specialty classrooms (library and learning center).

In light of your request, AUSD will approve your request and provide AOA Elementary School with the specific classrooms requested (103, 105, 110, portable). All facilities space being provided to AOA Middle School are outlined below.

Final Facilities Offer for the 2015-2016 School Year

1. Teaching Stations

The District offers the following classrooms on the Chipman campus:

AOA Middle School will have exclusive use of seventeen (17) classrooms for teaching spaces. This includes rooms for special education classrooms. Rooms include: C10 and C11 on the first level, C14-18, C19-24, and C26-29. See Attachment "A", Chipman Facility Map.

2. Specialized Classroom Space

The District offers the following 6 specialty classrooms:

AOA Middle School will have exclusive use of the music room C31, two science classrooms (C12, C13) and art room C25 and cooking room (C30) and industrial arts classroom (MU). See Attachment "A".

AOA Middle School will have shared primary access to the gymnasium/multipurpose room. If AOA Middle School wishes to accept the Final Offer, by May 30, 2015, the parties must separately agree to a

memorandum of understanding (MOU) defining the shared use and scheduling for the 2015-2016 school year.

3. Non-Teaching Space

The District offers the following:

AOA Middle School will have access to all student and adult restrooms located on the Chipman campus with the exception of the boys and girls restrooms located downstairs in the second quad next to room C4.

AOA Middle School will continue to have exclusive use of office space, storage, and other non-teaching space located within the first quad and in the front of the building on Pacific Avenue.

AOA Middle School will have shared use of all staff restrooms on the Chipman facility.

If AOA Middle School wishes to accept the Final Offer, the parties must separately agree to an MOU governing the use of non-teaching space on the Chipman campus including storage spaces, staff restroom use and entries and exits of the campus.

The Condition of Facilities

The condition of AOA Middle School's proposed facilities are reasonably equivalent to its comparable school, Wood Middle School.

4. Shared Use

(1) Space for Athletic Activities

The District offers the following:

The District will request that AOA Middle School provides a schedule by May 30, 2015 for the use of the gymnasium/multi-purpose room in an effort to facilitate a MOU with AOA Middle School Charter School and AOA Elementary Charter School before May 30, 2015 or with other AUSD programs that may be located in this space.

Facilities Use Agreement

Implementation of this Final Offer is contingent on the District and AOA Middle School entering into a Facilities Use Agreement regarding such matters as insurance, indemnity, access, safety, utilities, maintenance and use of the facilities for the 2015-2016 school year. Conditions pertaining to the space not addressed in this Final Offer will be included in the Facilities Use Agreement entered into by and between the District and AOA Middle School.

Estimated Pro-Rata Share

Pursuant to Title 5, Section 11969.9, the District is obligated to include in its Preliminary Proposal the projected pro-rata share cost to AOA Middle School for facilities offered. Section 11969.7 prescribes the methodology to be used by the District for determining the pro-rata share amount to be charged to AOA Middle School in correlation to the space allocated by the District. In accordance with section 11969.7, the District has estimated the pro-rata share AOA Middle School must pay for classroom spaces as follows:

23 classrooms to be offered on the Chipman facility to house projected in-District Classroom ADA
= 27,137 square feet
27,137 square feet x \$2.85 (District's cost per square foot)
= \$ 77,392 cost to AOA Middle School for 23 classrooms at Chipman Campus

With respect to the pro-rata calculation above, the District will not charge AOA Middle School a pro-rata cost for its use of the facilities offered at Chipman. Instead, because the District will provide AOA Middle School with "substantially rent free" facilities for the 2015-2016 school year, the District shall charge AOA Middle School the actual costs of supervisorial oversight in an amount not to exceed three (3) percent of the revenue of AOA Middle School pursuant to Education Code section 47613(b). Additionally, the pro-rata utilities costs will be incorporated in the facility use agreement.

Conclusion

The above represents the District's Final Proposal to AOA Middle School for the 2015-2016 school year. The District believes that it has fully complied with the requirements of the Education Code, the Proposition 39 implementing regulations and the provisions of the "mutual agreement" clause in CCR 11969.1(b) in making this offer. AUSD has done so in order to meet its obligation to provide reasonably equivalent facilities.

Respectfully submitted,



Kelly Lara

Director of Student Services

CC: Sean McPhetridge, Superintendent
Barbara Adams, Assistant Superintendent
Robert Clark, Chief Business Officer
Robbie Lyng, Director of Maintenance, Facilities and Operations