



Date: January 20th, 2022

Memo: LCPS Response Regarding Notices of Concern from OCS to LCPS (dated Dec 14 2021)

To: Madison Thomas, Sonali Muraka, Superintendent Kyla Johnson Trammell, Board President Gary Yee, and Directors Mike Hutchinson, Shanthi Gonzalez, and Clif Thompson (members of the OUSD Charter Committee)

From: Rich Harrison, CEO, Lighthouse Community Public Schools

Dear Madison Thomas, Sonali Muraka, Superintendent Kyla Johnson Trammell, Board President Gary Yee, and Directors Mike Hutchinson, Shanthi Gonzalez, and Clif Thompson (members of the OUSD Charter Committee):

I hope all of you are doing well during these challenging times as we navigate the Omicron surge that has resulted in a high number of student and staff absences these past three weeks.

Ms. Thomas and Ms. Muraka, I appreciate the extension for Lighthouse Community Public Schools's formal response to your Notice of Concern regarding [Lighthouse](#) and [Lodestar](#)'s admission policies and procedures.

To start, LCPS takes its public equity commitments seriously, and we fully intend to continue the work recruiting and serving a higher number of unhoused families in Oakland per our material revision of our lottery preferences that the OUSD Board approved in December, 2020.

- One year ago, we had ~15 unhoused students in our schools; currently, due to our recruitment and advocacy efforts in partnerships with local non-profit organizations, we currently have 52 students across our schools that qualify for McKinney Vento.
- In our current application process for the upcoming school year, out of the ~450 applicants, 17 new applicants qualify for this priority. We are also working with the Oakland Housing Authority this second semester to recruit additional families to Lighthouse and Lodestar.

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- LCPS is excited to bring forth a material revision for Lighthouse High School in February, so that all three of our LEAs have the unhoused family priority in our annual lottery process that we hope the OUSD Board will approve.

This memo is broken up into the following parts:

1. Timeline, Events, Supporting Documents, and Summary
2. Assurances for the Actions requested by OUSD Office of Charter Schools.

Part 1. Timeline and Events:

December, 2020	OUSD Board approved material revisions to prioritize unhoused families as part of Lighthouse K-8 and Lodestar K-12’s charter renewal process
January 2021-March 2021	Programmed Schoolmint lotteries with the support of Oakland Enrolls to conduct our lotteries with revised preferences, and conducted lottery validation to see if priorities were being accurately applied. Conducted LCPS lotteries for seats in the 21-22 school year.
March 2021-July 2021	Continued enrollment and registration work in preparation for the 21-22 school year, including making offers off our waitlist
August 4, 2021	Rich Harrison, CEO, learned of the issue and immediately notified OCS regarding the issue impacting families that applied to Lighthouse and Lodestar under the unhoused priority, as well as the application of an elementary/middle/high school zone priority vs. a Madison Park priority.
August 6 - August 13th, 2021	<p>LCPS team, Schoolmint, and Oakland Enrolls met to understand the issue and plan to execute follow up with the families impacted. All families impacted were contacted via phone call and offered a seat at our schools.</p> <ul style="list-style-type: none"> • Report: Lighthouse and Lodestar Unhoused/Foster Student Priority Error (August 11th, 2021): This document from Oakland Enrolls provides a summary of the issues regarding this priority. • Letter from Chandrika Arya, Chief Customer Officer at Schoolmint, acknowledging the lottery issue and investigation (August 13th, 2021) • Copy of Lighthouse/Lodestar (last updated August 16, 2021): NOTE: THIS DOCUMENT HAS CONFIDENTIAL STUDENT INFORMATION AND IS RESTRICTED. A copy of the spreadsheet that LCPS used to track student information and family communication for those impacted by the error is available upon request.

	<ul style="list-style-type: none"> • Message About Priority Error/Mensaje de Error de Prioridad (August 9, 2021): This letter was sent to all families impacted by the error from Oakland Enrolls. • Madison Boundary Priority Issue Summary: (last updated September 22, 2022) This document provides a summary of the issues regarding the Madison Park priority for Lodestar
August 2021 - December 2021	No communication from OCS regarding the issue
November 3rd, 2021	<p>Lisa Gibes de Gac and Julia Judge from Oakland Enrolls informed Rich Harrison, CEO, via email and subsequent phone call that Sonali Muraka and Madison Thomas had reached out to them to discuss the lottery issues, and OCS's intention of sending a Notice of Concern to LCPS.</p> <ul style="list-style-type: none"> • OUSD School Information Request from Lisa Gibes De Gac, Executive Director for Oakland Enrolls to Madison Thomas and OCS (December 16th, 2021). This letter asks OUSD to reach out to charter schools first before reaching out to Oakland Enrolls <p>Rich Harrison, LCPS Staff, nor LCPS Board Members were contacted by OSC - rather, we were notified of this possibility through Oakland Enrolls, a third party partner of LCPS.</p> <p>Rich Harrison followed up with both General Council Josh Daniels and Chief of Staff Curtiss Sarikey via email and asked the following question: <i>"Is it typical for members of the Charter Office to discuss "notices of concerns" with LCPS's external vendors/partners (in this case Oakland Enrolls and School Mint with whom we have a separate agreement) without letting the ED or CEO or Board Chair of a charter school or network know?"</i> LCPS nor Janelle Ruley (LCPS legal counsel), Dr. Clif Thompson (D7 Board Director), nor Kimi Kean (LCPS Board Chair) who were copied on the email, did not get a response to the question.</p>
December 14th, 2021	<p>Madison Thomas sent two Notices of Concerns (one for Lighthouse and one for Lodestar) regarding our issues in our lottery process that LCPS transparently shared over 4 months prior.</p> <p>Rich Harrison followed up again with Mr. Sarikey.</p>
December 15th, 2021	<p>Mr. Sarikey sent a response stating via email that: "It is not uncommon for the Charter Office to discuss aspects of Notices of Concern with other parties. In order to inform the background and/or remedies of the Notice, staff sometimes seek additional information to write the Notice</p>

	<p>appropriately. In this particular situation, the intention was definitely not for LCPS to hear about the Notice first from Oakland Enrolls, and Sonali and team do apologize for that. I also checked in with general counsel and it's not considered problematic to discuss Notices of Concern with other parties before they are issued.</p> <p>In terms of the timing -- Notices of Concern are indeed sometimes issued months after the concern is identified. This can be for a few different reasons, such as time to research ed code, time to investigate the situation, time for legal review, and so forth. If you feel you need more time to respond to the Notice, I know the team is often flexible about that."</p>
<p>January 11th, 2022</p>	<p>Rich Harrison, LCPS CEO, and Robbie Torney, LCPS Chief of Staff met with Ms. Muraka and Ms. Thomas. In that meeting, we asked the following questions and received the following responses.</p> <ol style="list-style-type: none"> 1) We asked if there were any Notice of Concerns given to OUSD authorized charter schools regarding lottery procedures. We were told that there was no precedent, and that this was the first Notice of Concern regarding lottery issues. 2) We asked if there was any precedent or case where the OCS reached out to the third party without the charter school or organization's Executive Director, CEO, and/or Board members knowledge regarding a potential Notice of Concern. We were told that there was <u>only one</u> precedent, where OCS reached out to the El Dorado SELPA regarding an investigation without the charter school's leadership nor board knowledge.

In summary,

1. Upon learning of the lottery issues in August, LCPS has transparently acknowledged the unfortunate error that impacted unhoused families that applied to Lighthouse and Lodestar. LCPS also appreciated the responsibility and subsequent actions taken by both SchoolMint and Oakland Enrolls to connect with each family impacted by the technical error; this error was algorithmic (in terms of how the lottery was configured in Schoolmint) and was NOT the result of how LCPS had configured the lottery for each of our three LEAs in Schoolmint.
2. LCPS acknowledges that the Madison Park priority for the Lodestar Lottery was not appropriately configured in Schoolmint, which resulted in a small number of students receiving an offer who should not have. This year, LCPS has appropriately configured the Lottery in schoolmint to be aligned with Admission Priority 4 in Lodestar's charter, which gives priority to: "Students who are currently enrolled in or who reside within the *elementary*

school attendance area of the district's public elementary school(s) in which Lighthouse is located" (emphasis added). You can see this priority programmed as 4th in our current schoolmint lottery, and staff will validate addresses of students who claim this priority prior to conducting the lottery (when we verify all of our priorities) to ensure that it is appropriately applied.

Figure 1. Lodestar Lottery Priority 4 in Schoolmint, as of January 21, 2022

The screenshot shows a web interface for configuring a lottery. At the top, there is a header "Run this sub-lottery" with a dropdown menu set to "4th" and a trash icon. Below this, there are two rows of configuration options. The first row has a dropdown menu for "Madison Park Zoned" and a "Weight" field set to "1". The second row has a dropdown menu for "Madison Park Current School" and a "Weight" field set to "1", with a trash icon to its right. At the bottom left, there is a teal button labeled "+ Add Group". At the bottom right, there is a checkbox labeled "Make weights cumulative" which is currently unchecked.

3. We acknowledge that Ms. Thomas, Ms. Muraka, and Mr. Daniels see no issue with discussing a notice of concern with our partner organization prior to notifying LCPS. Respectfully, I disagree with this approach, especially as LCPS acted in good faith of immediately notifying OCS staff when we discovered these issues with our lottery – one of which was on our partner (unhoused priority for Lighthouse K-8 and Lodestar) and one of which was on our staff (Madison Park priority for Lodestar). I respectfully request that moving forward that any investigation or potential Notice of Concern be shared transparently with either LCPS's CEO or Board of Directors. Hearing about this through one of our third party providers on November 3rd and then formally receiving the notices of concerns a month and a half later from OCS was disappointing as such actions do not build a culture of trust and problem-solving in our current heightened political climate and in light of the challenges last semester (the process to provide Independent Study through AB 130 for charter families, the revision process of the OUSD board charter policy, the charter implications of the vaccine mandate).
4. I understand that Ms. Thomas felt it necessary to issue a notice of concern in this case, and I am only taking issue with the process and the lack of transparent communication by which this happened. I appreciate the apology provided by OCS and I am committed to continued productive partnership with OCS staff – both in this area and in general. I am appreciative of the space provided by OUSD for the charter leader steering committee so that we can discuss issues in a proactive manner.

Part 2: Assurances for Actions requested by OUSD:

Lighthouse: There were four actions OUSD requested in the Notice of Concern:

<p>By January 21, 2022: Report the number of applicants and/or the number of students impacted by the issues outlined above during the 2021-22 school year and any steps already taken to mitigate and/or resolve the issues.</p>	<p>Unique Students Impacted by Unhouse Priority issue:</p> <ul style="list-style-type: none"> • A total of 41 unique students were impacted • 8 students applied to both Lighthouse and Lodestar • 18 students applied to Lighthouse only
<p>By January 21, 2022: Confirm, in writing, that Lighthouse believes the issues described have been resolved for the 2022-23 school year.</p>	<p>LCPS believes the issues have been resolved for the 2022-23 school year, and appreciate Oakland Enrolls and Schoolmint's support with that process.</p>
<p>By January 21, 2022: Commit to performing additional checks throughout the 2022-23 application and lottery window to ensure the homeless/unsheltered priority is functioning properly and to provide OUSD, in writing, with the details of how it is fulfilling this commitment.</p>	<p>LCPS recently conducted a thorough check of our application and lottery system to ensure all priorities are properly functioning.</p> <p>Here are two documents that details how we are fulfilling our commitment:</p> <ul style="list-style-type: none"> • 22-23 Lottery: Lighthouse & Lodestar • LCPS Lottery Validation 1-20-22 NOTE: THIS DOCUMENT HAS CONFIDENTIAL STUDENT INFORMATION AND IS RESTRICTED AND IS AVAILABLE TO OCS STAFF UPON REQUEST
<p>By March 31, 2022: Report the results of the lottery outcomes to the OUSD Office of Charter Schools. This report should include the number of students who applied on-time and the number of students who received an offer from each enrollment priority group.</p>	<p>We plan to report the results of our lottery on March 31 to OUSD's OCS, and the report will include the number of students who applied, received an offer by priority group.</p>

Lodestar: There were four actions OUSD requested in the Notice of Concern:

<p>By January 21, 2022: Report the number of applicants and/or the number of students impacted by the issues outlined above during the 2021-22 school year and any steps already taken to mitigate and/or resolve the issues.</p>	<p>Unique Students Impacted by Unhouse Priority issue:</p> <ul style="list-style-type: none">• A total of 41 unique students were impacted• 8 students applied to both Lighthouse and Lodestar• 15 students applied to Lodestar only <p>Impact of Madison Park boundary issue:</p> <p>The ultimate impact of this is that some students received an offer over others, when they shouldn't have. It's very hard to say which students may have gotten skipped over. As of 9/2/21, there are 168 students who were assigned but shouldn't have been</p> <ul style="list-style-type: none">• of those, 64 had higher priority than Madison Park and would have been placed higher on the waitlist regardless of this priority issue• leaving 105 students who have the priority who shouldn't have• After going through those, we found 18 students who have accepted or have an offer pending, who may not have gotten an offer otherwise. Broken down by grade:<ul style="list-style-type: none">○ K: 4○ 1st: 2○ 2nd: 1○ 3rd: 1○ 6th: 3○ 8th: 5○ 9th: 2• There are several students in 9th grade
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	<p>only who were not assigned the priority. However, all of those students received an offer except one, who withdrew her application. There were 24 of those students there.</p>
<p>By January 21, 2022: Confirm, in writing, that Lighthouse believes the issues described have been resolved for the 2022-23 school year.</p>	<p>LCPS believes the issues have been resolved for the 2022-23 school year, and appreciate Oakland Enrolls and Schoolmint’s support with that process.</p>
<p>By January 21, 2022: Commit to performing additional checks throughout the 2022-23 application and lottery window to ensure both the Madison Park boundary priority and the homeless/unsheltered priority are functioning properly and to provide OUSD, in writing, with the details of how it is fulfilling this commitment.</p>	<p>LCPS recently conducted a thorough check of our application and lottery system to insure all priorities are properly functioning.</p> <p>Here are two documents that details how we are fulfilling our commitment:</p> <ul style="list-style-type: none"> • 22-23 Lottery: Lighthouse & Lodestar • LCPS Lottery Validation 1-20-22 NOTE: THIS DOCUMENT HAS CONFIDENTIAL STUDENT INFORMATION AND IS RESTRICTED AND IS AVAILABLE TO OCS STAFF UPON REQUEST
<p>By March 31, 2022: Report the results of the lottery outcomes to the OUSD Office of Charter Schools. This report should include the number of students who applied on-time and the number of students who received an offer from each enrollment priority group.</p>	<p>We plan to report the results of our lottery on March 31 to OUSD’s OCS, and the report will include the number of students who applied, received an offer by priority group.</p>

Respectfully signed and submitted,

Rich Harrison

Rich Harrison
 CEO, Lighthouse Community Public Schools