

**RESOLUTION OF THE BOARD OF EDUCATION OF PETALUMA CITY
ELEMENTARY AND PETALUMA JOINT UNION HIGH SCHOOL DISTRICTS
("PETALUMA CITY SCHOOLS"), REGARDING THE PRELIMINARY
FACILITIES PROPOSAL TO LIVE OAK CHARTER SCHOOL**

WHEREAS, the provision of facilities to charter schools is government by Education Code section 47614 and implementing regulations of Title 5 of the California Code of Regulations ("Prop. 39");

WHEREAS, by correspondence dated November 1, 2023, the Live Oak Charter School ("Live Oak") submitted a written request for facilities under Prop. 39 to the District for 2024-25 facilities, and with correspondence dated November 17, 2023, Live Oak submitted revised/corrected in-District Classroom Average Daily Attendance ("ADA") projections for 2024-25 broken down by grade level and District schools where its students would otherwise attend ("Request");

WHEREAS, in accordance with Title 5, California Code of Regulations, Section 11969.9, by correspondence dated December 1, 2023, the District provided Live Oak with its written "objections" to Live Oak's ADA projections for 2024-25 and provided the ADA projections the District determined to be reasonable;


WHEREAS, by correspondence dated December 18, 2023, Live Oak responded to the District's written objections and accepted the District's "counter-projection" of 123.3 in-District Classroom ADA (137 enrollment in grades TK-8) for 2024-25; and

THEREFORE, BE IT RESOLVED, that the District Board of Trustees hereby finds that the District will not be able to accommodate all of Live Oak's projected in-District Classroom ADA at a single District school site, and therefore adopts the written statement of reasons attached hereto as Exhibit "A" and incorporated herein by this reference.

The foregoing resolution was introduced by Board Member Gen who moved its adoption, seconded by Member Cloud and adopted by the following vote:

CLOUD: Aye GEN: Aye PAUN: Absent QUINN: Aye WEBSTER: Aye

WHEREUPON, the President declared the above resolution adopted and **SO ORDERED** this 30th day of January, 2024.


Caitlin Quinn, President, Board of Education

ATTEST:

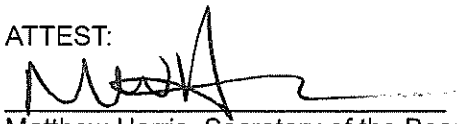

Matthew Harris, Secretary of the Board of Education

EXHIBIT "A"

STATEMENT OF REASONS

1. By correspondence dated December 18, 2023, Live Oak responded to the District's written objections and accepted the District's "counter-projection" of 123.3 in-District Classroom Average Daily Attendance ("ADA") for 2024-25; therefore, the District's offer of Proposition 39 facilities shall be based on that uncontested projection amount. Live Oak confirmed that the 123.3 in District ADA is based on a 90% enrollment to ADA rate, meaning it projects enrollment of 137 in District students in grades TK-8 for 2024-25. About 70% of Live Oak's projected in-District ADA are in grades TK-6.

2. As part of the Proposition 39 process, the District has surveyed all of its school sites serving the grade levels served by Live Oak (TK-8), including those District school sites where the majority of Live Oak's in-District students would otherwise attend, and confirmed that all of its sites are impacted with most already at capacity with District students and programs currently and as projected in 2024-25. As a result of the District's survey, it has determined that Live Oak's 123.3 in-District classroom ADA (137 enrollment in grades TK-8) cannot be accommodated on any single District school site.

3. Also, pursuant to the Collective Bargaining Agreement between the District and the Petaluma Federation of Teachers, the District is required to comply with maximum class size loading provisions. Specifically, the District must maintain a class-size of no more than 24 (currently) students in grade TK; no more than 28 students in grades K-3; no more than 32 students in grades 4-6; and no more than 32 students in each general education program class for grades 7-8. Implementation of these maximum class size loading requirements impacts the amount of space at all District school sites serving students in grade levels TK-8, and particularly for the elementary grades with the lowest class-size loading amounts.