

Public Hearing and Discussion on the Sale of Adams Property to Caliber: Beta Academy



Board of Education
May 25, 2016

District's Legal Obligations under Prop 39

- Prop 39 was written to insure that all public school students share equally in district facilities, including those students in charter schools
- Prop 39 requires school districts to make “reasonably equivalent” facilities available to charter schools with at least 80 ADA upon request
- To comply with Prop 39, courts have said that school districts may need to displace other students within the District, adjust attendance boundaries and/or consolidate schools in order to accommodate the charter students

Background on Caliber's Request

- Since January 2015, the District and Caliber have spent significant time and resources to negotiate a long-term solution for Caliber due to Caliber's sustained growth and the District's facilities obligations under Prop 39
- Caliber originally requested to lease or purchase the Adams site due to it not being utilized, was a prior school site, could accommodate their current and planned enrollment, and would be a permanent home for their students
- Prior to entering into any agreement, it was important for the Board to receive public input on the potential sale

Overview of Rationale for District selling site to Caliber

- In exchange for the sale of the site, the District would receive a waiver of its Prop 39 obligations for Caliber's K-8 students
- Since 2014, the District has spent close to \$1M for facility improvements for Caliber at Stege and Kennedy and is planning on spending an additional \$560K for the 2016/17 school year offset by approximately \$400K in use fees
- The use of the site as a school is consistent with County plans including when Adams was an operating school site of up to 1,200 students
- In the event that the parties do not mutually agree to a long-term solution, the District will continue to be obligated to provide reasonably equivalent facilities on an annual basis for Caliber's current and continued growth up to the 810 students
- There is limited space at our schools to comply with the Prop 39 requirements and other alternatives could displace students and services and potentially result in school consolidations, closures, and/or attendance boundary adjustments

Concerns raised by the Public

- Impact on Mira Vista K-8
- Neighborhood impacts (traffic, vandalism, loss of open community space)
- Purchase price less than fair market value
- Surplus Property obligations
- Number and grade levels of students
- Condition of buildings on the site (seismic) and safety of the students
- Impact on District public schools generally
- Non-union construction