

**Office of Charter Schools**

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June 3, 2010

Donn Harris, Principal  
Oakland School for the Arts  
530 18<sup>th</sup> Street  
Oakland, CA 94612

**Re: Oakland School for the Arts  
FINAL CHARTER SUBMISSION**

Dear Mr. Harris,

Please find attached to this memo the final copy, approved by both parties, of the Oakland School for the Arts charter petition. The petition, approved as amended on February 10, 2010, by the Board of Education of the Oakland Unified School District, as well as the associated attachments included in the original charter renewal petition submission on November 18, 2010, are attached herein.

The charter term begins on **July 1, 2010**, and expires on **June 30, 2015**.

This office would like to extend appreciation to the leadership of Oakland School for the Arts for your collaborative efforts throughout the charter renewal process, as well as through the final draft revisions of this charter document.

Respectfully,



David Montes de Oca  
Coordinator, Office of Charter Schools  
Oakland Unified School District



## **CHARTER**

Of the Oakland School for the Arts  
A California Public Charter School  
Authorized by the Oakland Unified School District  
SPRING 2010

### **ELEMENT A: EDUCATIONAL PROGRAM**

#### **SCHOOL VISION STATEMENT:**

*Oakland School for the Arts will provide its students with a distinguished, pre-professional experience in the arts while emphasizing a rigorous, college preparatory academic curriculum. OSA students will graduate fully prepared to succeed in post-secondary institutions. OSA students will develop the qualities of self-discipline and perseverance through their serious study of a selected arts emphasis. In addition, OSA will be a beacon of creative excellence that attracts patrons of the arts to a revitalized Oakland City Center.*

#### **WHOM THE SCHOOL WILL EDUCATE**

OSA aims to nurture the artistic and academic aspirations of middle- and high-school aged students from Oakland and the surrounding areas. Students will be attracted to OSA by its specific educational focus that builds rigorous arts programs into each school day in ways that are unique and exceptional. The school chose to take on, and was granted a charter that included, a role as a regional institution that would bring talented and motivated students to downtown Oakland, further enriching the cultural and civic life of the city.

When it reaches capacity in 2010-2011, OSA will serve 525 students in grades 6-12. The growth to this enrollment figure occurred over the past three years: from 305 students in the Fall of 2007, OSA grew to 410 in Fall 2008 and 510 in Fall 2009. This was accomplished through an energetic outreach program that utilized publications, school visits and ongoing publicity efforts. There will be approximately 75 students per grade level in all grades, creating a balance within the school that allows for programs and resources to be distributed equally.

#### **A 21<sup>ST</sup> CENTURY EDUCATION**

The demands on the educational system to prepare students for the 21<sup>st</sup> century are complicated by enormous changes in society, the workplace and institutions of higher education. An interactive, information-rich environment requires the individual to be flexible, insightful, innovative and thoughtful long before specific skills related to a profession or avocation are developed. It is precisely these qualities of creative intelligence that OSA is attempting to build in its student population. For OSA, the arts are both a specific curricular objective and a vehicle

through which the individual explores learning and creativity, ultimately gaining the qualities described above to be applied in a range of future settings, from music to engineering to politics. Element B of the OSA charter outlines the specific outcomes OSA hopes to achieve with its students.

In addition to fostering of the qualities of innovation and creativity, OSA also endeavors to educate its students in the areas of character development, self-discipline, community contribution and leadership. Whatever field students eventually choose to pursue, these personal qualities provide a foundation for success, collaboration and productivity in the complex, diverse world of the 21<sup>st</sup> century. OSA educates students in these areas in both direct and indirect ways. Direct character education occurs in each classroom, as teachers develop lessons and model behavior that promotes a deep commitment to character and ethics. Indirectly, OSA provides myriad opportunities for students to develop projects, events and performances that require an understanding of group dynamics, leadership principles and community collaboration.

The specific outcomes for Oakland School for the Arts students, detailed in Element B, are heavily influenced by the Studio Habits of Mind from a Harvard University analysis of arts education. These habits are developed and sustained through the pursuit of an artistic discipline, yet apply to endeavors of many different types. These habits of mind have been recognized as the specific domains of growth and development that cut across all areas of arts education, and have definite and meaningful applicability to all areas of 21<sup>st</sup> century educational outcomes.

These habits are:

1. *Envision* – the ability to see what has not yet occurred, often known as imagination.
2. *Develop Craft* – refine the process by which one expresses imagination, requires study and choice-making.
3. *Express* – the manifestation of an idea; some form of communication.
4. *Engage and Persist* – to remain attentive to the communication’s goal; to persist in refining and improving the creative output.
5. *Observe* – continuing to be aware, observe with clarity and purpose.
6. *Understand Community* – to know the impact of the creative product on the wider community; to know the specific qualities of those who receive the message.
7. *Reflect* – the thoughtful, intellectual exploration of process; the ability to consider and rethink.
8. *Stretch and Explore* – to go beyond one’s boundaries, to discover new possibilities and connections.

## **HOW LEARNING BEST OCCURS**

It is the belief of the Oakland School for the Arts community, from its founder through the Board of Directors and communicated to all employees and the families that comprise the school’s student body, that learning is best accomplished through the active, participatory engagement of students in a task that holds meaning, produces a tangible result of some kind, and allows the learner to communicate what has been learned to the wider community. This process can be accomplished in many ways, and of course at the Oakland School for the Arts this is achieved through the rigorous study of one of seven art disciplines. What is unique about this endeavor in

the context of an arts school is that learning often begins with a spark of curiosity or inspiration from the learner him- or herself, in contrast to the more traditional definition of learning, in which a teacher or expert conveys knowledge to the learner. This student-centered approach to the learning process is sometimes referred to as *constructivism*, in that the learner grows in knowledge and ability through constructing meaning based on prior experiences, knowledge and his or her own internal compass. The arts are a premier example of a constructivist approach that allows for enormous variation in terms of expression, innovation and the communication of what has been learned, or in some cases discovered.

The OSA educational program will combine this intensive arts training with a rigorous and standards-based college preparatory curriculum. The arts will be infused into academic content areas through projects and overall curricular design, reinforcing the strengths and artistic interests of our student body. In addition, there will be an academic component to the arts programs: history of the art form will be part of each arts curriculum, as well as theory, technique, written reflection, critique, study of the masters and interdisciplinary connections. The pre-professional arts program will explore all aspects of arts training, including business, technical, societal and managerial components of the arts world; students will be given ample opportunity to organize, direct and produce various events and performances. The OSA curriculum is built on the idea that students will create and lead on many occasions throughout their time at OSA, whether it be the start of a radio station or producing a student-led cabaret or talent showcase. Many real-world possibilities for internships, apprenticeships and community partnerships will be available to students as well. Upper classmen may take classes at local community colleges or become involved in off-campus activities at local arts organizations.

Specific curricular descriptions are outlined in the section below.

## **CURRICULUM DESCRIPTIONS**

*Middle School Academics:* OSA middle school students are enrolled in a rigorous, sequential curriculum throughout all grade levels. A strong emphasis is placed on critical thinking, organization and preparation for high school. Students are grouped by grade level except for mathematics, where precise assessment results in groupings based on advancement through a curriculum that includes fundamental mathematics, intermediate mathematics, pre-algebra and Algebra I. Middle school students are enrolled in an 8 period day, two of which are occupied by arts classes in their selected arts emphasis area, one for physical education, one for either enrichment or study/life skills depending on need, and one each for the four core classes: Language Arts, Mathematics, Social Science and Science. If students are not progressing toward high school readiness as determined by course grades and other assessments, they are required to attend summer school classes, held at OSA, that focus on skill acquisition and preparation for the next grade level. A strong middle school leadership team, and strong collaborative efforts among the middle school faculty (all middle school teachers have two common prep periods daily, allowing for collaboration and alignment) ensure that coursework, grading, expectations and sequencing are established in a systematic manner.

*Special Education:* Oakland School for the Arts offers educational opportunities for qualified students regardless of their disability status. Individual Education Plans (IEPs) are implemented

by a Resource Specialist, who collaborates with staff and ensures that students' accommodations and modifications are accurately reflected in teacher practice and administrative action. Families are an integral part of this process and regular communication between the staff and the students' home is facilitated by the RSP teacher. Staff is give annual training in Special Education procedures and effective classroom strategies for student with learning differences. OSA, as part of this new charter, will exercise its right to explore the most viable options to deliver Special Education services through a Special Education Local Plan Area (SELPA) agreement with an agency that most effectively reflects the priorities and abilities of OSA.

*Arts Programs:* OSA offers a pre-professional arts environment to qualified students who are motivated and prepared to study an arts discipline in a sequential, conservatory-style focus. All arts programs spiral students through the following artistic strands: **history and background** of the art form through contemporary times; **career, post-secondary and advancement opportunities** within the art form; **theory and technique**, to include extensive practice and study of the fundamental principles that result in rigorous application of knowledge; **process and refinement**, including training exercises and acquisition of specific skills and outcomes; and **performance and demonstration**, the culminating event or production in which students synthesize knowledge, skill and practice into a cohesive format that communicates to the school community and the public at-large an artistic statement that reflects a high level of expertise, a sense of voice and purpose, and an understanding of the social and psychological dimensions of creativity and artistic expression in the public forum.

*High School Academics:* OSA high school students are enrolled in an enriched carefully organized set of courses that lead to high school graduation. All OSA high school graduates will have met the UC A-G course requirements, as outlined in this graduation requirement table:

<b>Subject Area</b>	<b>Courses</b>
Language Arts (4 years required)	English I, English II, English II Honors, English III, English III Honors, English IV, English IV Honors, Advanced Placement English Language (pending)
Social Science (3 years required)	Modern World History, United States History, American Government (1 semester), Advanced Placement American Government (1 semester), Economics (1 semester)
Science (3 years required)	Health, Biology, Chemistry, Physics
Mathematics (3 years required)	Pre-Algebra, Algebra I, Algebra II, Geometry, Pre-Calculus, Statistics, Advanced Placement Calculus
World Language (2 years required)	Spanish I, II, III French I, II, III
Electives	Academic Preparation, Environmental Science, Advanced Placement Psychology, Leadership
The Arts (4 years required)	Arts Management, Dance, Inst. Music, Literary Arts, Visual Arts, Theater, Vocal Music

## **STRUCTURE AND ORGANIZATION OF THE SCHOOL DAY**

In order to maximize the ability of our students to succeed in a rigorous, multifaceted environment, the OSA staff has put much thought and analysis into the nature of the school day and how it is organized. Many considerations come into play when working through this type of decision-making: transportation, facility, teacher scheduling, economic efficiency, student preference. After careful observation of the school environment, and in collaboration with the parent community of OSA, the following school day was established for 2009-2010:

<b>Period</b>	<b>Time</b>	<b>Middle School Schedule</b>	<b>High School Schedule</b>
<b>1</b>	8:20 – 9:05	Academic Class	Academic Class
<b>2</b>	9:10 – 9:55	Academic Class	Academic Class
<b>3</b>	10:00 – 10:45	Academic Class	Academic Class
<b>4</b>	11:00 – 11:45	<i>Arts Class</i>	Academic Class
<b>5</b>	11:50 – 12:35	<i>Arts Class</i>	Academic Class
<b>6</b>	12:35 – 1:10	LUNCH	LUNCH
<b>7</b>	1:10 – 1:55	Academic Class	<i>Arts Class</i>
<b>8</b>	2:00 – 2:45	Academic Class	<i>Arts Class</i>
<b>9</b>	2:50 – 3:35	Academic Class	<i>Arts Class</i>
<b>9+</b>	3:35 – 4:15		<i>Extended HS Arts Time</i>

This extended schedule allows for a range of educational options to be implemented. For example, the middle school schedule allows for four core academic courses, physical education, two arts courses and an eighth course, which can be study skills, enrichment, a high school elective, an advanced world language course or an extended arts program, depending on the needs of the student. This has resulted in a rich set of opportunities for students, who are not limited by schedule constraints or other functional considerations. The schedule also allows for academic and arts teacher collaborative times across all levels and subject areas, as teachers serving like groups of students have common blocks of preparation time and can work together to align curriculum, attend student support meetings and rehearse performance pieces.

## **PEDAGOGY AND PHILOSOPHY**

In developing a school that focuses on the visual and performing arts and all of the highly specific details that this implies, it was the belief of the school's founders and those who have continued the traditions of OSA that a certain teaching style would have a richer, more profound effect on our students, and in the ensuing years the OSA staff worked to define and institutionalize this pedagogical direction and to communicate this to the entire community that is invested in OSA, including the students and their families, as well as new employees joining the team. This comes partly from the belief that students of the arts arrive at school with particular strengths and predilections that we need to recognize and accommodate, but in a deeper sense the core values that drive OSA are based in a belief in creativity, innovation, a multisensory experience of the world and the value of constructivism in learning, which had been detailed earlier in this document.

This philosophical direction has implications for both academic and arts classes. The use of projects, guest speakers, the development of internships, the acceptance of on-line courses and community college courses – these speak to the OSA commitment to offering an educational model that is innovative, tied to real-world objectives, and flexible in terms of matching student needs with available programs and resources.

Another factor in the OSA philosophy is the vision of our school as a community hub for the arts and youth activity. Our facility is used extensively by youth groups, arts organizations and for community functions. The renaissance of uptown Oakland is a civic movement of special resonance for the East Bay, and OSA is very inspired by our role in this. In addition, we will perform in the Fox Theater itself on certain occasions, further bringing the community into our orbit and connecting our students with the “village” that helps to sustain them.

This set of beliefs makes its way into academic classrooms in the form of open-ended assignments and projects that include dramatic presentations, musical interpretation, mock trials, panel discussions, cooperative learning and technology-based assignments. In fact, OSA provides for its students a rich technological environment: laptops are currently issued to high school seniors, all staff members have laptops, and other computer banks are available by department or through teacher sign-out. This allows for a wide range of creative presentations undertaken by groups of students who communicate electronically, share responsibility for project outcomes, and are able to communicate information in methodology that is familiar and motivating for fellow students.

It is also the OSA belief that an arts education in and of itself is a valuable tool through which our students, and society as a whole, can access a learning path that counters a strictly mechanical, standardized version of knowledge and information that so frequently characterizes millennial school choices, particularly in the inner city and among underserved groups. The arts have natural qualities of excitement, curiosity, inspiration, empathy and deep engagement that transcend some of the challenges that we have identified in educational circles in recent years. OSA in particular, and arts schools generally, have high retention and graduation rates, excellent attendance statistics, few discipline issues, and stable family and teacher populations. In addition, even without a specific program that prepares students for standardized tests, OSA has continually scored well on the California Standards Tests (CSTs), coming in at 749 for the 2008 testing cycle and earning an award as a California Distinguished School, the only school in Oakland to receive that distinction in 2009.

In addition, along with providing a rich, rigorous classroom experience for its students, the Oakland School for the Arts sees performances, productions and demonstrations as perhaps the ultimate project-based assessment of students’ work. The detail, dedication, knowledge and skill that must go into any endeavor of this type is evidence of unmatched opportunities for students to extend and synthesize their learning, to demonstrate and communicate that learning in a meaningful, universal manner, and – finally – to add to the rich cultural heritage of Oakland and the Bay Area by producing work of historic, cultural and social value.

## **TRANSFERABILITY OF COURSEWORK**

OSA has developed course sequences that comply and align with accepted California State graduation requirements for high school students. These courses are also registered with the University of California (UC) system as fulfilling the university A-G requirements for admission. Advanced Placement (AP) courses have been approved by the College Board as having met all the standards for courses at this level. Families are notified of all the issues related to the transferability of coursework to other high schools and colleges at monthly parent meetings and special meetings held for the parents of juniors and seniors related to college entry.

### **ELEMENT B: MEASURABLE PUPIL OUTCOMES**

Students attending OSA will emerge with the following skills, abilities and qualities. These are known as Expected Schoolwide Learning Results (ESLRs) and were approved as part of OSA's WASC accreditation:

#### **Expected Schoolwide Learning Results ("ESLRs")**

Oakland School for the Arts will prepare its graduates to be:

##### **Effective communicators who:**

- Clearly articulate ideas and speak and write with eloquence
- Code switch (use the appropriate communication for the situation)
- Listen to others
- Demonstrate their artistic voices.

##### **Critical thinkers who:**

- Question ideas and analyze a variety of perspectives
- Have informed opinions while remaining open to other views
- Integrate prior knowledge when solving problems
- Choose imagination over cynicism
- Master academic material thoughtfully and deeply.

##### **Productive citizens who:**

- Positively contribute to the community and value the contributions of others
- Collaborate successfully
- Stay informed about world events in order to effect positive change
- Accept and offer constructive criticism.

##### **Self-disciplined students and artists who:**

- Display pride and passion in their artistic and academic work
- Demonstrate consistent effort and commitment through practice and focused study
- Challenge themselves to achieve higher standards
- Behave professionally as an audience member, classroom student, or community citizen
- Demonstrate mastery over the California State academic standards in all subject areas.

These outcomes are developed and nurtured throughout the OSA educational program, encompassing both the academic and artistic coursework as it is delivered and assessed by the OSA staff. The ESLRs were created as part of a school self-study process and have been approved by all stakeholders in the OSA community – the Board of Directors, the school administration, the teaching staff, the students and the families of the students. Each staff member and student is expected to work toward these outcomes on a daily basis and are held accountable for these qualities as the educational and artistic programs unfold.

### **ELEMENT C: METHODS TO ASSESS STUDENT PROGRESS**

The assessment of how successfully our students achieve the Expected Schoolwide Learning Results happens formally, informally and at times spontaneously as OSA creates artistic works and students engage in performances that have immediate assessment components in terms of audience participation and authentic evaluation of the artistic experience. The table below shows the various assessment methods that are utilized at OSA:

<i><b>Expected Outcome</b></i>	<i><b>Means of Assessment</b></i>
<p><b>Effective communicators who:</b></p> <ul style="list-style-type: none"> <li>• Clearly articulate ideas and speak and write with eloquence</li> <li>• Code switch (use the appropriate communication for the situation)</li> <li>• Listen to others</li> <li>• Demonstrate their artistic voices.</li> </ul>	<ul style="list-style-type: none"> <li>• Classroom projects, student demonstrations</li> <li>• Role plays and rubrics that evaluate communication effectiveness</li> <li>• Listening: student audiences complete audience evaluation sheets</li> <li>• Arts-integration assignments included in academic classwork</li> <li>• Academic assignments part of all arts emphasis areas (history, theory, technique) – students graded on these specific aspects of their art form</li> <li>• Portfolio and performance assessments are used to gauge student communication skills</li> </ul>
<p><b>Critical thinkers who:</b></p> <ul style="list-style-type: none"> <li>• Question ideas and analyze a variety of perspectives</li> <li>• Have informed opinions while remaining open to other views</li> <li>• Integrate prior knowledge when solving problems</li> <li>• Choose imagination over cynicism</li> <li>• Master academic material thoughtfully and deeply.</li> </ul>	<ul style="list-style-type: none"> <li>• Written assignments include analysis of varied viewpoints</li> <li>• Fact/opinion rubrics used to determine student effectiveness in developing logic</li> <li>• Open-ended essay formats stimulate student critical thinking as opposed to yes/no answers</li> <li>• Assignments based on student interest allow for the development of imagination and possibility as opposed to limitations</li> </ul>

	<ul style="list-style-type: none"> <li>Express critical analysis of media, website, other communication elements in both spoken and written formats</li> </ul>
<b>Productive citizens who:</b> <ul style="list-style-type: none"> <li>Positively contribute to the community and value the contributions of others</li> <li>Collaborate successfully</li> <li>Stay informed about world events in order to effect positive change</li> <li>Accept and offer constructive criticism.</li> </ul>	<ul style="list-style-type: none"> <li>Student government roles are assessed and analyzed</li> <li>Arts teachers assess group projects, productions, collaborative efforts</li> <li>Students are engaged in international projects, cultural trips, community service and service learning projects that are assessed and analyzed</li> <li>School performance eligibility requirements also include assessments of behavior and attitude</li> </ul>
<b>Self-disciplined students and artists who:</b> <ul style="list-style-type: none"> <li>Display pride and passion in their artistic and academic work</li> <li>Demonstrate consistent effort and commitment through practice and focused study</li> <li>Challenge themselves to achieve higher standards</li> <li>Behave professionally as an audience member, classroom student, or community citizen</li> <li>Demonstrate mastery over the California State academic standards in all subject areas.</li> </ul>	<ul style="list-style-type: none"> <li>Arts performances are selected and assessed to ensure student progress</li> <li>Faculty reviews student outcomes through individual and group evaluation</li> <li>OSA selects ambitious projects and arts pieces that challenge and motivate students to reach higher levels of achievement and performance as assessed by rubrics and tests</li> <li>Student participation in the arts as audience and consumer is assessed through written evaluation and ongoing assessment of arts knowledge</li> <li>Student self-discipline is assessed through the assignment of projects that are expected to be done independently and on-time.</li> </ul>

*Specific Measurable Targets: CST and CAHSEE*

In addition, OSA has developed long-range student achievement targets for the term of the charter that is outlined below. Numbers indicate percentages of students proficient and above in the given areas or percent of 10th grade students passing both sections of CAHSEE:

Year	CST Math	CST LA	CST SS	CST Science	CAHSEE (10 <sup>th</sup> grade)
1	20	55	45	20	80
2	25	60	50	25	82
3	30	65	55	30	85
4	35	70	60	35	90
5	40	75	65	40	90

*Specific Measurable Targets: Academic Grades*

1. OSA will reduce its failure rate in Algebra to below 10% for the term of this charter. Current rate is above 20%.
2. OSA will reduce its failure rate in 9<sup>th</sup> and 10<sup>th</sup> grade Language Arts to below 10% for the term of this charter. Current rate is above 20%.
3. Eligibility rates for high school will be above 80%; for middle school, above 90%. (Based on departmental guidelines, minimum 2.33 GPA, all classes passed.)

*Specific Measurable Targets: Attendance*

OSA will exceed 95% overall attendance for all grade levels during the term of this charter. 2008-2009 attendance rate was 93-94%.

*Specific Measurable Targets: Promotion and Graduation*

1. OSA will promote 95% of its 8<sup>th</sup> graders into the OSA high school program. Students not eligible for promotion will be offered extensive services to address areas of need. (see Element H)
2. OSA will graduate 98% of its high school students. Students not eligible for graduation will be offered services to include tutoring, summer school, extended learning opportunities and summer school.

*Specific Measurable Targets: Non-Academic Categories*

1. OSA will continue to maintain a suspension rate of less than 2% on an annual basis.
2. 90% of the OSA parent/guardian community will access the Power School grading program in a given quarter to ensure families are aware of student progress.

## **ELEMENT D: GOVERNANCE STRUCTURE**

Oakland School for the Arts will constitute itself as a California Non-Profit Public Benefit Corporation pursuant to California law. The school will maintain in effect general liability insurance, as well as insurance policies to cover board omissions protection. The OSA governing board will operate procedurally consistent with the adopted by-laws of the organization and follow the approved procedures for changes and amendments. The governing board's major roles and responsibilities will include establishing and approving all major educational and operational policies, approving all major contracts and agreements, approving the school's annual budget and overseeing the school's fiscal affairs. The Board will also evaluate the Executive Director's job performance on an annual basis.

Members of the governing board will be selected to ensure that the make-up of the Board is sufficient to cover the diverse and specialized needs of the school. This will include expertise in education, finances, accounting, marketing, fund-raising, community relations, public school administration and the arts. The Board will be composed of appointed individuals who may represent the various constituencies of the school: parents, teachers, community members, business leaders and arts administrators as determined by the board's by-laws.

The Board of Directors of the Oakland School for the Arts will appoint an Executive Director who will be responsible for the day-to-day operations of the school. This Director will also serve as the Local Educational Agency (LEA) Superintendent for matters that require this level of approval for the California Department of Education. The Director/Superintendent will be responsible for implementing the policies determined by the Board of Directors as they apply to the regular operation of the school.

OSA and OUSD pledge to work in cooperation with all LEAs and Special Education Local Plan Areas (SELPA) to ensure that a free and appropriate education is provided to all students determined to have special needs. OSA will enter into an agreement with an appropriate SELPA to provide these services after a careful review of the needs of OSA students, the capability of the organization and the services/supports offered by the various SELPAs. This will also include the analysis of students' residences to determine how to equitably fund special education given that OSA enrolls students from a wide range of regions and school districts.

In its agreement with a SELPA to provide services to its students, OSA will enter into a financial agreement that ensures, first, that OSA students are receiving the highest level of service to which they are entitled, and following that, to join with other SELPA members in a fiscal arrangement that follows the general guidelines of the SELPA. OSA will create a Student Study Team (SST) that will be responsible for the identification and support of any student whose school performance indicates the need for special attention and/or intervention. First interventions will be analyzed for the success and/or results of the action, and this may or may not result in a referral for psychological testing and special education services.

The governing board may execute any powers delegated by law, and may appoint a designee to carry out any duties associated with this.

OSA will abide by all Brown Act requirements in regard to all plans and activities.

*Oakland School for the Arts will comply with the District policy related to charter schools to the extent it aligns with and does not exceed the law applicable to charter schools, as it may be changed from time to time as long as the charter school has been given written notice of the policy change.*

*Members of OSA's Governing Board, any administrators, managers or employees, and any other committees of the School shall at all times comply with federal and state laws, nonprofit integrity standards and OUSD's Charter School policies and regulations regarding ethics and conflicts of interest so long as such policies and regulations are not in conflict with any then-existing applicable statutes or regulations applicable to charter schools.*

*OSA and/or its non-profit corporation will be solely responsible for the debts and obligations of the charter school.*

## **ELEMENT E: EMPLOYEE QUALIFICATIONS**

Oakland School for the Arts will recruit, hire and train a core academic teaching staff that holds appropriate California credentials for the specific subjects they will teach. The academic teaching staff will also be selected based on their suitability for teaching in an arts school: the ideal OSA candidates will have experience in the arts, knowledge of the arts as a powerful force in society, and the demonstrated ability to use the arts as a teaching tool through which core curriculum can be delivered.

Oakland School for the Arts will also employ non-certificated instructional staff for non-core, elective and arts classes. These staff members will be recruited from the Bay Area's rich environment of arts agencies, community-based organizations and professional arts unions and collectives. Staff will be selected based on a range of factors that will include artistic experience, teaching experience and the ability to work in a school setting that serves students with diverse backgrounds and interests. Non-credentialed staff will be provided with a full professional development program that will offer them training and support in the areas of classroom pedagogy, student support, legal requirements, grading and assessment and child development.

### **ELEMENT F: HEALTH AND SAFETY PROCEDURES**

Oakland School for the Arts will adopt and implement a comprehensive set of health, safety and risk management policies. These policies will be developed in consultation with the school's insurance carriers and at minimum will address the following:

- A requirement that all enrolling students and staff provide records documenting immunizations to the extent required for enrollment in non-charter public schools.
- Policies and procedures for response to natural disasters and emergencies, including fires and earthquakes.
- Policies relating to the prevention of contact with blood-borne pathogens.
- A policy requiring that instructional and administrative staff receive training in emergency response, including "first responder" training or its equivalent.
- Policies relating to the administration of prescription drugs and other medicines.
- Evidence that the school is housed in a facility that is approved by the state or local fire marshals. A structural engineering report will be on file indicating that no seismic hazard exists.
- OSA will maintain a policy that the school is a drug-, tobacco- and alcohol-free workplace.
- Each OSA employee will submit to a criminal background check and furnish a criminal record summary as required by Education Code Section 44237.

These policies and procedures will be incorporated as appropriate into the school's student and staff handbooks and will be reviewed on an ongoing basis through staff development and board resolution.

*OSA shall occupy facilities that comply with the Asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA), 40CFR part 763. AHERA requires that any building leased or acquired that is to be used as a school or administrative building shall maintain an asbestos management plan.*

## **ELEMENT G: MEANS TO ACHIEVING ETHNIC BALANCE**

OSA will implement a recruitment strategy that will include, among a range of communication and publicity efforts, the following elements of outreach and programmatic innovations designed to ensure a racial balance that is reflective of the surrounding communities, to include greater Oakland and Alameda and Contra Costa counties:

- An application and enrollment process that is conveniently scheduled, prominently displayed on the school's website and at the school's campus.
- A calendar of events, tours and Open Houses that are consistent from year to year so the community is familiar with OSA patterns.
- Multiple opportunities to visit and view the campus, including drop-ins.
- Development of promotional and informational materials that are distributed to a broad range of community groups and agencies.
- OSA staff visits to elementary and middle school fairs and events to involve school communities directly in OSA presentations and assistance with application and audition procedures.
- Making available translated materials and translation services for non-English speaking communities.
- Attendance at OUSD events and fairs advertising school choices to the Oakland community.
- Performance of artistic works that reflect the diversity of the East Bay and attract local communities to the OSA campus.
- Creation of joint events with other schools and agencies to highlight the community engagement initiatives of OSA and the central location of its home in The Fox Theater.

## **ELEMENT H: ADMISSIONS REQUIREMENTS**

*Oakland School for the Arts will not be sectarian in its programs, admissions policies, employment practices and any other operation or function of the school. It will not charge tuition or discriminate on the basis of race, ethnicity, national origin, gender, sexual orientation, religious or spiritual practice or disability.*

OSA will actively recruit a diverse student population from the city of Oakland and Alameda and Contra Costa counties. Admission to OSA is available to any California resident, and it is the vision of the school to attract a regional population to the school, bringing a richness of artistic talent, potential and cultural awareness to the downtown Oakland area. Prior to going through the application and admission process, prospective students and families will be informed through tours, Open Houses and at audition events about the vision, mission and instructional practices of the school, so that families can make appropriate educational choices for their children.

The OSA application process consists of the completion of a paper or on-line application that includes all pertinent information, a letter of recommendation from any adult in the students'

lives with the exception of family members, a selection of which artistic emphasis area the student wishes to try for, and an essay by the students stating their motivation for applying to an arts school and anything else they wish to convey to the admissions team. **Students are not asked to identify their ethnic background, disability status, or to submit any school records of any kind prior to admission to Oakland School for the Arts. Admission is grade- and status-blind and is based solely on the results of the next step in the application process, the artistic audition.**

Once a student's application has been processed, the family receives notification of the time and date of the student's artistic audition. OSA holds annual auditions in November, January, May and August. In general, approximately 100 spots open up at OSA each year. Seventy-five to eighty of those spots are reserved for incoming sixth-graders; the others are opened on an as-available basis depending upon attrition of students. The audition consists of a demonstration of talent, potential, experience and aptitude in one of seven arts areas: dance, arts management, instrumental music, vocal music, visual arts, literary arts and theater arts. Students are also interviewed with a standard set of questions and given an opportunity to present something they have designed, created, composed, written, learned, built and achieved. All auditions are scored on a discipline-specific rubric by a panel of three experts. The panel consists of the chair of the specific department, a teacher or artist within that department, and a community-based artist who is not part of the regular OSA staff. Audition results are tallied and panels make recommendations that are reviewed by the admissions staff and the Executive Director.

Following this review, families are notified by mail of the results and offers for admission are made. Students who were not accepted in a given audition are encouraged to re-apply and are not asked to submit anything further: their application packet is simply moved to the next audition. If the number of qualified applicants exceeds the number of available spots in a given year, preference will be given to those who auditioned at the earliest date, and a waiting list will be created to serve the remaining applicants. Students will be admitted off the waiting list through a process that includes the following factors: artistic need (such as a specific instrument or vocal range), room at grade level, room within arts emphasis area, overall school enrollment.

Once admitted, students and families will complete an enrollment package and students will be administered placement tests to ensure proper placement in academic programs. Included in the enrollment packet is a statement of school philosophy and a commitment form that families are asked to sign.

#### *Transition from 8<sup>th</sup> grade to high school:*

OSA serves two levels of students: middle school, grades six through eight, and high school, grades nine through twelve. In order to ensure that students are able to succeed at the high school level in a rigorous, standards-based arts environment, OSA has designed a transition process between the two levels that is meant to be transparent, filled with high expectations, and supportive.

At the beginning of the 8<sup>th</sup> grade year, students will be given a hand-out that details the expected artistic standards to be met by a student transitioning into the high school program. Students whose prior artistic progress in the 6<sup>th</sup> and 7<sup>th</sup> grade was determined to be below standard will be

placed on an improvement program that will include parent notification, an early September meeting with the arts chair and the Executive Director, and regular progress reports. Students in this status will be offered extra assistance and guidance as required. Families will be kept apprised of student progress toward the artistic standard. Academic standing will not be considered in this process, but when needed will be addressed through summer school and retention systems.

By May 1 of the school year, families will be notified as to the standing of the 8<sup>th</sup> grade student in the improvement program. Students may be required to go through the audition process with prospective students that is held in early May. The results of this audition may determine placement within the department or the transition into another OSA department. Families will be provided support and academic guidance throughout this process, including help transferring schools if it is mutually agreed upon that the student should attend high school in a different setting.

*By October 1 of each year, OSA will notify the District in writing of the application deadline and proposed lottery date. OSA will ensure that all application materials will reference these dates as well as provide complete information regarding application procedures, key dates, and admissions preferences and requirements consistent with approved charter.*

#### **ELEMENT I: FINANCIAL AND PROGRAMMATIC AUDIT**

The OSA Board of Directors will form an audit committee each fiscal year to oversee selection of an independent auditor and the completion of an annual audit of the school's financial affairs. The audit will verify the accuracy of the school's financial statements, attendance and accounting practices, and review the school's internal controls. The school will provide OUSD with a memorandum of understanding in regards to persons responsible for financial management of the school. The audit will be conducted in accordance with generally accepted accounting procedures and principles appropriate to a school setting. It is anticipated that the audit will be completed within six months of the close of the fiscal year and a copy of the auditor's findings will be forwarded to OUSD. The school's Finance Committee will review any audit exceptions or deficiencies and report to the full Board of Directors the recommendations on how to solve the problems that were uncovered. The plan will be forwarded to OUSD. Any issues or disputes that arise will be addressed as defined in Element N of the OSA charter.

In addition to the financial audit, OSA will compile and provide to OUSD an annual performance audit. This audit will include data that OSA is:

- Meeting pupil outcomes as specified in the charter (see Element B)
- Fiscally solvent
- Organizationally and administratively sound
- Following all legal provisions
- Meeting all terms of the charter

OSA and OUSD will jointly agree on the content, format, process, timeline and evaluation criteria for the annual performance audit.

*OSA, in accordance with Education Code Section 47604.3, shall promptly respond to all reasonable inquiries, including but not limited to, inquiries regarding financial records, from the District and shall consult with the District regarding any such inquiries. OSA acknowledges that it is subject to audit by OUSD if OUSD seeks an audit of OSA it shall assume all costs of such audit. This obligation for the District to pay for an audit only applies if the audit requested is specifically requested by the District and is not otherwise required to be completed by OSA by law or charter provisions.*

*“To the extent that OSA is a recipient of federal funds, including federal Title I, Part A funds, OSA has agreed to meet all of the programmatic, fiscal and other regulatory requirements of the No Child Left Behind Act and other applicable federal grant programs. OSA agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of the No Child Left Behind Act and other applicable federal programs, including, but not limited to, documentation related to required parental notifications, appropriate credentialing of teaching and paraprofessional staff, where applicable, or any other mandated federal program requirement. The mandated requirements of NCLB include, but are not limited to, the following:*

- Notify parents at the beginning of each school year of their “right to know” the professional qualifications of their child’s classroom teacher including a timely notice to each individual parent that the parent’s child has been assigned, or taught for four or more consecutive weeks by, a teacher who is not highly qualified.*
- Develop jointly with, and distribute to, parents of participating children, a school-parent compact.*
- Hold an annual Title I meeting for parents of participating Title I students.*
- Develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy.*

*OSA also understands that as part of its oversight of the school, the Office of Charter Schools may conduct program review of federal and state compliance issues.*

## **ELEMENT J: SUSPENSION AND EXPULSION**

The disciplinary guidelines for OSA are rooted in the belief that a safe, orderly campus is best accomplished by fostering a respectful learning environment that maximizes academic achievement and artistic inspiration.

OSA has developed a clear, effective model of discipline practices and meaningful policies and procedures to deal with student behavior. Students will be provided full due process and afforded all their rights under the applicable legal structures. Policies and procedures will be published, printed and distributed to ensure students and families are provided with all necessary information. These policies will be part of the OSA Student Handbook, which is distributed at the start of the school year and is posted on the OSA website. The printed information will deal with the expectations for students and families as they pertain to attendance, punctuality, mutual respect, authority, substance abuse, violence, criminal activity, safety and work habits. This information will also be distributed and discussed during enrollment meetings, where new student and families interface formally with OSA for the first time.

Violations of the OSA behavior policy will be handled by the school administration, specifically the High School and Middle School Deans of Students. When discipline is warranted that reaches the level of suspension or expulsion, OSA will develop written reports and statements that will be delivered to the family at a formal meeting, which shall also include the student. Students who have been removed from the educational environment for any reason shall be provided with academic work and will be given full credit for completed work. This exclusion will be at the discretion of the Director of the School.

Should a situation occur that reaches the level of expulsion as defined in the student handbook, the Director will prepare a report that will be presented to the OSA Board of Directors in a closed session at the first available board meeting. The OSA Board will make the final determination regarding the disposition of the student. Oakland Unified School District will be informed of the outcome of any such hearing.

Prior to suspension and/or expulsion, the student and the student's family will be provided with full due process. This means having the opportunity to communicate any information regarding the incident to the school authorities undertaking the investigation, access to all materials and documents related to the case, and full knowledge of all procedures put into motion and the possible outcomes of those procedures. Due process shall also include written notice of the specific circumstances surrounding any disciplinary action and the opportunity to respond to any allegation. Prior to the formalization of any suspension or expulsion proceeding, the student and the student's family will have the right to meet with the Director of the school and/or the Director's Designee. Student and parent will have the right to inspect all evidence related to the allegation. The burden of proof will be on the school to present evidence that demonstrates a specific rule or provision has been violated. Notice shall be assumed implicit where the violation is of such egregious nature that it breaks state or federal law or recklessly endangers the safety of the school, the students or the OSA staff.

Discipline matters that involve students with IEPs or 504 plans shall conform to all applicable state and federal laws. Fair hearing practices and mediation processes, where appropriate, will be adhered to. Student Study Teams and IEP Teams may be involved in this process as well in order to determine how to best meet the needs of the student and family while still following applicable laws and regulations related to discipline violations.

*In the case of a special education student, or a student who receives 504 accommodations, OSA will ensure that it makes the necessary adjustments to comply with the mandates of State and federal laws, including the IDEA and Section 504 of the Rehabilitation Plan of 1973, regarding the discipline of students with disabilities. Prior to recommending expulsion for a Section 504 student or special education student, the charter administrator will convene a review committee to determine 1) if the conduct in question was caused by, or had a direct and substantial relationship to the child's disability; or 2) if the conduct in question was the direct result of the LEA's failure to implement the 504 plan or IEP. If it is determined that the student's misconduct was not caused by or had direct and substantial relationship to the child's disability or the conduct in question was not a direct result of the LEA's failure to implement the 504 plan or IEP, the student may be expelled.*

## **ELEMENT K: RETIREMENT SYSTEM**

OSA faculty and staff will participate in either the federal social security system or the California STRS system, depending upon status of credentials and licensure within the school. OSA will also offer a range of supplementary plans available to employees on a voluntary basis. The OSA Finance Director will be responsible for the implementation of the retirement plan.

#### **ELEMENT L: ATTENDANCE ALTERNATIVES**

Students who do not choose to attend OSA may register with the public school district in which they reside and will receive an appropriate educational placement.

#### **ELEMENT M: DESCRIPTION OF EMPLOYEE RIGHTS**

OSA faculty and staff who have left permanent status in OUSD to work at OSA will not have the right to return to a comparable position within OUSD unless District policy permits this. Former OUSD employees must work with OUSD on the procedures for returning to the District should they wish to make that choice.

#### **ELEMENT N: DISPUTE RESOLUTION PROCESS, OVERSIGHT, REPORTING AND RENEWAL**

##### *Intent*

The intent of this dispute resolution process is to (1) resolve disputes within the school pursuant to the school's policies, (2) to minimize the oversight burden on OUSD, (3) to ensure a fair and timely resolution to disputes and (4) to frame a charter oversight and renewal process and timeline in order to reach mutual agreement between the entities regarding these matters.

##### *Public Comments*

OSA and OUSD will attempt to resolve all disputes regarding this charter pursuant to the terms of this section. Parties shall refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

##### *Disputes Arising From Within the School*

Disputes arising from within the school, including all disputes within and among students, staff, parents, volunteers, advisors, partner organizations and governing board members of the school shall be resolved by policies and processes developed by the school. These processes will be made public through the school's normal communication processes and will begin with complaints being put into writing to the Executive Director. All complaints must be signed and dated.

OUSD will not intervene in internal disputes without the consent of the governing board of the school and shall refer any complaints or reports regarding such disputes to the governing board or Executive Director for resolution. OUSD agrees not to become involved in disputes unless evidence has been presented that some violation of this charter or related laws or agreements exists, or unless the governing board requests that OUSD intervene.

*Disputes Between the School and the Charter-Granting Agency*

In the event that the school or granting agency have disputes regarding the charter or other issues related to the relationship between the entities, both parties agree to follow the process outline below.

In the event of a dispute between OUSD and OSA, the staffs and governing boards of OSA and OUSD agree to put the dispute in writing and work with the entities' respective governing boards to begin a resolution process. If OUSD believes the issue in question could result in the revocation of the charter, this will be put into writing.

Representatives from the OSA board and the OUSD superintendent or designee shall meet in a timely and informal fashion to begin the resolution process. If this fails to result in a solution, both parties agree to identify a neutral third-party arbitrator. The format of the arbitration session shall be developed jointly and will incorporate rules of evidence and procedure unless both parties agree otherwise. Findings and recommendations will be non-binding unless the parties agree to bind themselves.

*The staff and Governing Board members of OSA agree to attempt to resolve all disputes between the District and OSA regarding this charter pursuant to the terms of this section. Both will refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.*

*Any controversy or claim arising out of or relating to the charter agreement between the District and OSA, except any controversy or claim that in any way related to revocation of this charter, shall be handled first through an informal process in accordance with the procedures set forth below.*

*(1) Any controversy or claim arising out of or relating to the charter agreement, except any controversy or claim that in any way related to revocation of this charter, must be put in writing ("Written Notification") by the party asserting the existence of such dispute. The Written Notification must identify the nature of the dispute and all supporting facts known to the party giving the Written Notification. The Written Notification may be tendered by personal delivery, by facsimile, or by certified mail. The Written Notification shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 PM or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail. All written notices shall be addressed as follows:*

*To Charter School, c/o School Director:*

*Oakland School for the Arts  
530 18<sup>th</sup> Street  
Oakland, Ca. 94612*

*To Coordinator, Office of Charter Schools:*

*Office of Charter Schools  
Oakland Unified School District  
1025 Second Avenue, Room 206  
Oakland, California 94606*

*(2) A written response (“Written Response”) shall be tendered to the party providing the Written Notification within twenty (20) business days from the date of receipt of the Written Notification. The Written Response shall state the responding party’s position on all issues stated in the Written Notification and set forth all fact which the responding party believes supports its position. The Written Response may be tendered by personal delivery, by facsimile, or by certified mail. The Written Response shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00p.m., or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail. The parties agree to schedule a conference to discuss the claim or controversy (“Issue Conference”). The Issue Conference shall take place within fifteen (15) business days from the date the Written Response is received by the other party.*

*(3) If the controversy, claim, or dispute is not resolved by mutual agreement at the Issue Conference, then either party may request that the matter be resolved by mediation. Each party shall bear its own costs and expenses associated with the mediation. The mediator’s fees and the administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall commence within 60 days from the date of the Issue Conference. The parties shall mutually agree upon the selection of a mediator to resolve the controversy or claim at dispute. If no agreement on a mediator is reached within 30 days after a request to mediate, the parties will use the processes and procedures of the American Arbitration Association (“AAA”) to have an arbitrator appointed...*

*(4) If the mediation is not successful, the parties agree that each party has exhausted its administrative remedies and shall have any such recourse available by law*

#### *Oversight, Reporting, Revocation and Renewal*

OUSD may visit the school premises at any time and will be provided access to all records, physical spaces and other facets of OSA. OUSD may choose, without approval from OSA, to contract out inspection services to a third-party organization.

If the OUSD school board believes it has cause to revoke the OSA charter, they will notify the OSA board in writing. The specific reasons for the possible revocation will be noted and OSA will be granted reasonable time to respond and take corrective action. “Reasonable time” may be mutually agreed upon by OUSD and OSA.

OUSD agrees to receive and review the annual fiscal and programmatic audits as outline in Element I of this charter. Within two months of the receipt of this annual review, OUSD may notify the governing board of OSA as to whether or not it considers the school to be making progress toward the specified goals. This annual notification may include the specific reasons for the charter-granting agency’s conclusions.

#### *Public Records*

*OSA acknowledges that pursuant to Article XVI section 8.5(e) of the California Constitution, sections 2(e), 6, and 8 of Proposition 98, and sections 33126.1(b), 35256(c), and 35258 of the Education Code require schools, including OSA to provide certain information in certain formats in certain ways to the general public and specifically to parents of students at OSA and of the District. OSA further acknowledges that it has the obligation to provide all of such information to the District that is required by these referenced authorities in a timely manner so that the District may meet its obligations under those authorities as well. To the extent that there is information that the District has, but that OSA does*

*not have that OSA needs in order to meet its obligations, the District shall provide the same to OSA in a reasonably timely manner upon request.*

#### *Reporting and Accountability*

*If OSA does not test (i.e., STAR) with the District, OSA hereby grants authority to the State of California to provide a copy of all test results directly to the District as well as the charter school. Test results for the prior year, if not provided directly to the District by the State, will be provided by the charter school to the District no later than September 1 of each year.*

#### *Public Complaint Procedures*

*OSA will establish complaint procedures that address both complaints alleging discrimination or violations of law and complaints regarding other areas. OSA will not, at any time, refer complaints to the District.*

*The complaint procedures will include the clear information with respect to the response timeline of the school, whether the school's response will be in writing, the party identified to respond to complaints, the party identified and charged with making final decisions regarding complaints, and whether the final decision will be issued in writing. The procedures will also identify an ombudsperson for situations in which the school leader is the subject of the complaint. The complaint procedures will be clearly articulated in the school's student and family handbook or distributed widely.*

*OSA will designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX of the Education Amendments of 1972 (Title IX) and Section 504 of the Rehabilitation Act of 1973 (Section 504) including any investigation of any complaint filed with OSA alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws. OSA will notify all its students and employees of the name, office address, and telephone number of the designated employee or employees.*

*OSA will adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee complaints alleging any action, which would be prohibited by Title IX, or Section 504.*

*OSA will implement specific and continuing steps to notify applicants for admission and employment, students and parents of elementary and secondary school students, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with the recipient, that it does not discriminate on the basis of sex or mental or physical disability in the educational program or activity which it operates, and that it is required by Title IX and Section 504 not to discriminate in such a manner.*

#### *External Reporting*

*OSA will maintain sufficient staff and systems including technology, required to ensure timely reporting necessary to comply with the law and to meet all reasonable inquiries from District and other authorized reporting agencies.*

#### *District fee for Oversight*

*The District may charge for the actual costs of supervisorial oversight of OSA not to exceed 1% of the charter school's revenue, or the District may charge for the actual costs of supervisorial oversight of the Charter School not to exceed 3% if OSA is able to obtain substantially rent free facilities from the District. Notwithstanding the foregoing, the District may charge the maximum supervisorial oversight fee allowed under the law as it may change from time to time.*

## **ELEMENT O: LABOR RELATIONS**

OSA shall be deemed the executive public school employer of the employees for the purposes of the Education Employment Relations Act.

### **FACILITIES**

*If OSA fails to submit a certificate of occupancy or other valid documentation to the District verifying that the intended facility in which the school will operate complies with Education Code Section 47610, not less than 30 days before the school is scheduled to begin operation pursuant to the first year of this renewal term, it may not commence operations unless an exception is made by the Office of Charter Schools and/or the local planning department or equivalent agency. If OSA moves or expands to another facility during the term of this charter, OSA shall provide a certificate of occupancy or other valid documentation to the District verifying that the intended facility in which the school will operate complies with Education Code Section 47610, to the District for each facility at least 30 days before school is scheduled to begin operations in the facility or facilities. OSA shall not begin operation in any location for which it has failed to timely provide a certificate of occupancy to the District, unless an exception is made by the Office of Charter Schools and/or the local planning department or equivalent agency. Notwithstanding any language to the contrary in this charter, the interpretation, application, and enforcement of this provision are not subject to the Dispute Resolution Process.*

### **MISCELLANEOUS PROVISIONS**

*OSA must submit its renewal petition to the Office of Charter Schools no earlier than 270 days before the charter is due to expire unless otherwise agreed by the Office of Charter Schools.*

*The District may revoke the charter of OSA in accordance with Education Code Section 47607.any successor provisions to section 47607, or other statutory provisions, if enacted after the date of the charter, regarding the revocation of charters.*

*In order to ensure the necessary oversight and review of mandated reports for which the authorizer must determine fiscal health and sustainability, the following schedule of reporting deadline to the District will apply each year of the term of this charter;*

- September 1 – Final Unaudited Financial Report for Prior Year*
- December 1 – Final Audited Financial Report for Prior Year*
- December 1 – First Interim Financial Report for Current Year*
- March 1 – Second Interim Financial Report for Current Year*
- June 15 – Preliminary Budget for Subsequent Year*

*“OSA agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining their charter authorization:*

- *OSA is subject to District oversight.*
- *The District's statutory oversight responsibility continues throughout the life of the charter and requires that it, among other things, monitor the fiscal condition of OSA.*
- *The District is authorized to revoke this charter for, among other reasons, the failure of OSA to meet generally accepted accounting principles or if it engages in fiscal mismanagement in accordance with Education Code Section 47607.*

*Accordingly, the District hereby reserves the right, at District cost, pursuant to its oversight responsibility, to audit OSA'S books, records, data, processes and procedures through the Office of Charter Schools or other means. The audit may include, but is not limited to, the following areas:*

- *Compliance with terms and conditions prescribed in the charter,*
- *Internal controls, both financial and operational in nature,*
- *The accuracy, recording and/or reporting of school financial information,*
- *The school's debt structure,*
- *Governance policies, procedures and history,*
- *The recording and reporting of attendance data,*
- *The school's enrollment process, suspension and expulsion procedures, and parent involvement practices,*
- *Compliance with safety plans and procedures, and*
- *Compliance with applicable grant requirements.*

*OSA shall cooperate fully with such audits and to make available any and all records necessary for the performance of the audit upon 30 days notice to OSA. When 30 days notice may defeat the purpose of the audit, the District may conduct the audit upon 24 hours notice.*

*In addition, if an allegation of waste, fraud or abuse related to OSA operations is received by the District, OSA shall be expected to cooperate with any investigation undertaken by the Office of Charter Schools, at District cost. This obligation for the District to pay for an audit only applies if the audit requested is specifically requested by the District and is not otherwise required to be completed by OSA by law or charter provisions.*

## **COMMUNICATIONS**

Official communications between OUSD and OSA will be directed to the following:

Donn K. Harris, Executive Director  
Oakland School for the Arts  
530 18<sup>th</sup> Street  
Oakland, California 94612  
P: 510.873.8800  
F: 510.873-8816  
[dharris@oakarts.org](mailto:dharris@oakarts.org)

David Montes de Oca, Coordinator  
Oakland Unified School District  
1025 2<sup>nd</sup> Avenue, 3<sup>rd</sup> Floor  
Oakland, California 94612  
P: 510.879.8349  
F: 510.879.1844  
[david.montes@ousd.k12.ca.us](mailto:david.montes@ousd.k12.ca.us)

