

## Element 4 – Governance

*“The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.” (Ed. Code § 47605(b)(5)(D).)*

### **GENERAL PROVISIONS**

As an independent charter school, Charter School, operated as or by its nonprofit public benefit corporation, is a separate legal entity and shall be solely responsible for the debts and obligations of Charter School.

Charter School shall ensure that, at all times throughout the term of the Charter, the bylaws of its governing board and/or nonprofit corporation are and remain consistent with the provisions of this Charter. In the event that the governing board and/or nonprofit corporation operating Charter School amends the bylaws, Charter School shall provide a copy of the amended bylaws to CSD within 30 days of adoption.

Charter School shall send to the CSD copies of all governing board meeting agendas at the same time that they are posted in accordance with the Brown Act. Charter School shall also send to the CSD copies of all board meeting minutes within one week of governing board approval of the minutes. Timely posting of agendas and minutes on Charter School’s website will satisfy this requirement.

The District reserves the right to appoint a single representative to the Charter School governing board pursuant to Education Code section 47604(b).

### **LEGAL AND POLICY COMPLIANCE**

Charter School shall comply with all applicable federal, state, and local laws and regulations, and District policy as it relates to charter schools, as they may be amended from time to time.

Charter School shall comply with all applicable federal and state reporting requirements, including but not limited to the requirements of CBEDS, CALPADS, the Public Schools Accountability Act of 1999, and Education Code section 47604.33.

Charter School shall comply with the Brown Act and the Public Records Act.

Charter School and all employees and representatives of Charter School, including members of Charter School’s governing board, members of Charter School or governing board committees and councils, Charter School administrators, and managers, shall comply with federal and state laws, nonprofit integrity standards, and LAUSD charter school policy, regarding ethics and conflicts of interest. Charter School shall enter into

all transactions and conduct business with all persons and entities at arm's length or, in the case of otherwise permissible related party transactions, in a manner equivalent to arm's length.

Charter School shall notify parents, guardians, and teachers in writing within 72 hours of the issuance of a Notice of Violation, Notice of Intent to Revoke, Final Decision to Revoke, Notice of Non-Renewal, or equivalent notice, by the LAUSD Board of Education.

## **TITLE IX, SECTION 504, AND UNIFORM COMPLAINT PROCEDURES**

Charter School shall 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 Charter School alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws. Charter School shall notify all of its students and employees of the name, office address, and telephone number of the designated employee or employees.

Charter School shall adopt and publish complaint procedures providing for prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by Title IX or Section 504.

Charter School shall adopt and implement specific and continuing procedures for notifying 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 Charter School, that Charter School does not discriminate on the basis of sex or mental or physical disability in the educational programs or activities which it operates, and that it is required by Title IX and Section 504 not to discriminate on any such basis.

Charter School shall establish and provide a uniform complaint procedure in accordance with applicable federal and state laws and regulations, including but not limited to all applicable requirements of *California Code of Regulations*, title 5, section 4600 et seq.

Charter School shall adhere to all applicable federal and state laws and regulations regarding pupil fees, including Education Code sections 49010 - 49013, and extend its uniform complaint procedure to complaints filed pursuant to Education Code section 49013.

Charter School shall extend its uniform complaint procedure to complaints filed pursuant to the Local Control Funding Formula legislation provisions set forth in Education Code section 52075.

## **RESPONDING TO INQUIRIES**

Charter School, including its nonprofit corporation shall promptly respond to all reasonable inquiries, including but not limited to inquiries regarding financial records from the District, and shall cooperate with the District regarding any inquiries. Charter School acknowledges that Charter School, including but not limited to its nonprofit corporation, is subject to audit by LAUSD, including, without limitation, audit by the District Office of the Inspector General. Charter School shall provide the District with current, complete, and accurate contact information for Charter School, Charter School administrators, and Board members.

If an allegation or other evidence of waste, fraud, abuse, or other material violation of law related to Charter School's operations, or breach of the Charter, is received or discovered by the District, Charter School, including but not limited to its nonprofit corporation, employees, and representatives, shall cooperate with any resulting inquiry and/or investigation undertaken by the District and/or the Office of the Inspector General Investigations Unit.

Charter School acknowledges and agrees that persons and entities that directly exercise control over the expenditure of Charter School's public funds shall be subject to all necessary and appropriate District charter school oversight.

## **NOTIFICATION OF THE DISTRICT**

Charter School shall notify the Charter Schools Division (CSD) in writing of any citations or notices of workplace hazards, investigations by outside governmental regulatory or investigative agencies, lawsuits, changes in corporate or legal status (e.g., loss of IRS 501(c)(3) status), or other formal complaints or notices, within one week of receipt of such notices by Charter School. Unless prohibited by law, Charter School shall notify the CSD in writing of any internal investigations within one week of commencing investigation. Charter School shall notify the CSD within 24 hours of any dire emergency or serious threat to the health and safety of students or staff.

## **STUDENT RECORDS**

Upon receipt of a student records request from a receiving school/school district, Charter School shall transfer a copy of the student's complete cumulative record within ten (10) school days in accordance with Education Code section 49068. Charter School shall comply with the requirements of California Code of Regulations, title 5, section 3024, regarding the transfer of student special education records. In the event Charter School closes, Charter School shall comply with the student records transfer provisions in Element 15. Charter School shall comply with the requirements of Education Code section 49060 et seq., which include provisions regarding rights to access student records and transfer of records for youth in foster care.

## **PARENT ENGAGEMENT**

Charter School shall not require a parent or legal guardian of a prospective or enrolled student to perform volunteer service hours, or make payment of fees or other monies, goods, or services in lieu of performing volunteer service, as a condition of his/her child's admission, continued enrollment, attendance, or participation in the school's educational activities, or otherwise discriminate against a student in any manner because his/her parent cannot, has not, or will not provide volunteer service to Charter School.

## **FEDERAL PROGRAM COMPLIANCE**

As a recipient of federal funds, Charter School has agreed to meet all applicable programmatic, fiscal and other regulatory requirements of the Elementary and Secondary Education Act (ESEA, also known as Every Student Succeeds Act (ESSA)) and other applicable federal programs. Charter School understands that it is a local educational agency (LEA) for purposes of federal compliance and reporting purposes. Charter School agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of ESEA and other applicable federal programs. Charter School also acknowledges that, as part of its oversight of Charter School, the District may conduct program review for federal as well as state compliance.

## **Governance Structure**

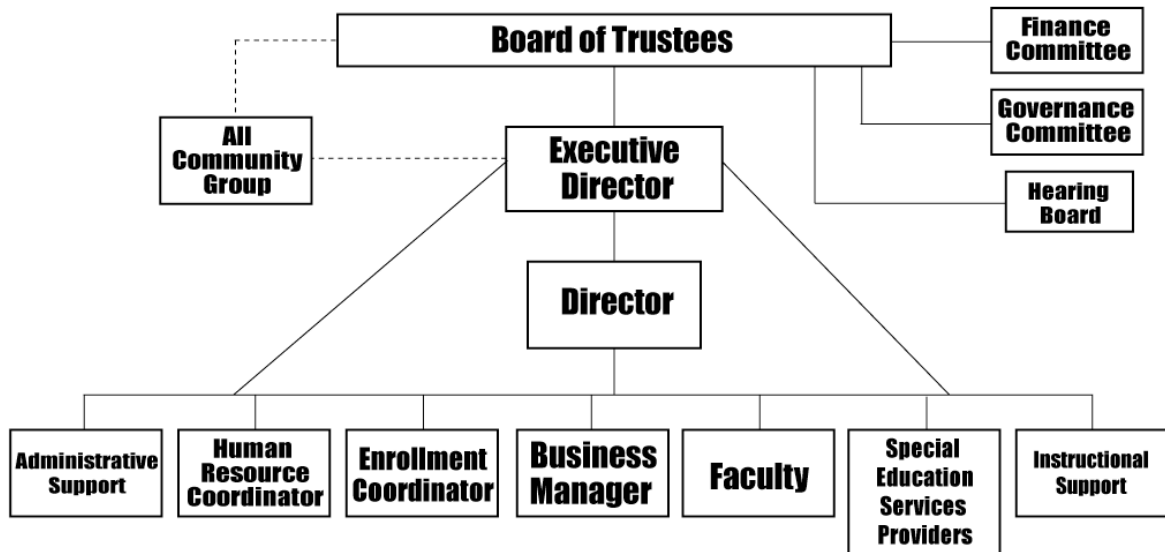
Ocean Charter School began as a grassroots effort, and has grown into an independent charter school. It operates as a California public benefit nonprofit corporation governed by the OCS Board of Trustees in accordance with California law and the OCS Bylaws. Ocean Charter School seeks a 5-year independent charter renewal term from the Los Angeles Unified School District.

OCS is built on a consensus model that involves key stakeholders such as parents, teachers, staff, and community members. Our aim is to work collaboratively and to seek consensus in decision making at every level. All participants will experience room to think creatively in realizing the vision of our school. An important facet of the Ocean Charter School is the involvement of the larger community. This is accomplished by establishing relationships with community groups, other educational institutions, and through community service projects.

Ocean Charter School is committed to the highest level of ethical standards and guards against any conflicts of interest by operating in compliance with Government Code 1090. Members of the Ocean Charter School's Executive Board, any administrators, managers, or employees, and any other committees of the School shall comply with federal and state laws, nonprofit integrity standards and LAUSD's Charter School policies and regulations regarding ethics and conflicts of interest.

## Organizational Chart

### Ocean Charter School, a non-profit 501(c)(3)



### Description of Roles and Responsibilities within the Governance Structure

OCS Board of Trustees

Mission

The Ocean Charter School Board of Trustees is responsible for the educational outcomes and ensuring the overall educational practices and quality of participation is consistent with the Vision of the school.

Responsibilities

- Ensure compliance with the Ralph M. Brown Act and Government Code 1090
- Ensure compliance with the District, County, State, and Federal law
- Approve policy decisions, amend and approve Bylaws
- Oversee legal issues

- Review and approve budget
- Track financial encumbrances
- Serve as final dispute resolution body within the context of OCS's Conflict Resolution policy and procedures
- Direct the work of the OCS Executive Director
- Activate, direct and integrate work of the Board standing committees, subcommittees, and task forces as needed to meet organizational needs

#### Board Standing Committees

- Finance Committee: Subcommittees: (a) Audit
- Governance Committee
- OCS Hearing Board

#### Board Task Forces

- Director Hiring/Oversight/Evaluation
- Collective Bargaining

#### OCS Executive Director

The Board of Trustees shall designate an Executive Director who, subject to Board control, shall have general supervision, direction and control of the affairs of OCS, and such other powers and duties as the Board may prescribe. The Executive Director shall not be a Trustee, but shall be required to attend all Regular and Special Board meetings unless his or her absence has been excused by the Chairman or Vice Chairman of the Board.

### **Governing Board Composition and Member Selection**

Members of the Board of Trustees may be added in accordance with the OCS Bylaws. The Board ratifies all Board seats in accordance with the OCS Bylaws. The Los Angeles Unified School District reserves the right to appoint a single representative to the charter school board pursuant to Education Code section 47604(b).

The composition of the Board shall be reflective of the diversity of the OCS community. The task of effectively overseeing a public charter school also requires a team with expertise and knowledge in legal, financial, business, and educational matters. OCS

accordingly strives to maintain a balanced composition of Board members with diverse skills, experience, perspectives, and expertise that can contribute to effective school governance as well as OCS's mission of providing a public Waldorf Education.

By resolution, the Board may establish multiple methods by which Trustees are selected, and it may restrict eligibility for certain Trustee positions to individuals with defined characteristics. One elected governor of the OCS All-Community Group shall, by virtue of holding that office, serve as a Trustee.

The standard term for new Trustees, other than the OCS All Community Group Governor, shall last until 11:59 PM of June 30th of the second OCS fiscal year after the fiscal year in which the Trustee joins the Board. The selection of Trustees shall be staggered over time so that the term of approximately one-third of the Trustees then in office shall expire at the end of each OCS fiscal year. To ensure this is possible, in the event that a Trustee resigns or is removed from office prior to the expiration of that Trustee's term, the Board may select a Trustee to complete the rest of that term rather than for a new standard term. The Secretary shall be responsible for maintaining a current roster of Trustees and their individual terms of service.

The number of Trustees of OCS in office shall be not less than 7 or more than 15. If the number of Trustees in office should ever fall below 7, the Board shall promptly appoint additional Trustees so as to bring the number to 7. The Board may also add Trustees whenever it deems the addition of another Trustee will further the Board's ability to fulfill its responsibilities and/or the mission of the School.

### **Governance Procedures and Operations**

Ocean Charter School will comply with the Ralph M. Brown act. Board members will periodically receive Brown Act training. All meetings of Ocean Charter School's Governing Board and its Committees will comply with the Brown Act. OCS Trustees traditionally hold regular Board meetings on the OCS campus the first Thursday of each month and schedule additional special meetings as needed, both in accordance with the Ralph M. Brown Act.

Board meeting notices are posted electronically and in print to provide the greatest possible public access to the school community as well as to the community at large. Prior to the beginning of each school year, the OCS administration sets the annual calendar, including the schedule of regular Board and Board Committee meeting dates. Board meeting dates and agendas are posted on the OCS Website and through the "OCS Yahoo! Group," an email distribution list of enrolled families and interested community members. Print notice is posted on the outside of the office door, in an accessible location for the public to view on campus, and through the "Friday Folder," a weekly publication of upcoming events and other school-related information. The agenda and all Board packet documents can be viewed or downloaded on our Google Docs site, are available at the school office, and can be mailed to OCS community members upon request. Board

meeting minutes are recorded by the OCS Board Secretary by 1) collecting input, 2) creating the minutes document, 3) circulating unapproved minutes for review and revision by the Board, and 4) re-circulating for final Board approval. The Secretary then posts approved minutes to the OCS Google Docs website and provides a hard copy for viewing in the OCS school office.

### Quorum Requirements

A majority of the number of Trustees then in office shall constitute a quorum for the transaction of any business except adjournment, provided that at least one fourth of the then-currently authorized number of Trustees is also present at the time quorum is determined.

### Board Action Voting Requirements

The actions done and decisions made by a majority of the Trustees present at a meeting duly held at which a quorum is present are the actions and decisions of the Board, except for purposes of electing Trustees, appointing Board Standing Committees and delegating authority thereto, or amending OCS's Bylaws, where the action of a two-thirds majority of Trustees then in office is required. The Board may continue to transact business at a meeting at which a quorum was originally present, even though Trustees withdraw, provided that any action taken is approved by at least a majority of the quorum required.

### Actions Without a Meeting

The Board will not take action without a meeting. All actions taken by the Board members and its deliberation will be conducted in compliance with the Brown Act.

### Abstention and teleconference participation

Any Trustee may abstain from a vote. Abstentions do not reduce the number of affirmative Trustee votes required for the Board to take action.

The Board's uniform practice has been not to allow Trustees to participate in meetings via teleconference. However, the Charter School reserves the right to permit such attendance under special circumstances provided that all Brown Act requirements for attendance by teleconference are satisfied.

### **Stakeholder Involvement**

Parent input and perspective is built into the OCS governance structure through parental involvement on the Board of Trustees and is further channeled through parent seats on Board standing committees and the OCS All Community Group. In addition, OCS parents and community members are invited to present their questions and comments



during the Open Forum portion of the meeting. Members of the public may also comment on any item on the agenda. This open invitation to address the Board encourages parental involvement in school decision-making processes by actively seeking community input on policy and other matters before the Board.

### Ocean Charter School All-Community Group Meetings

The OCS All-Community Group (ACG) regularly meets as a collaboration of OCS parents, teachers, and community members to fulfill the mission and vision of the Charter School. ACG meetings are open to anyone who has an interest in Ocean Charter School. A strong collaboration is at the heart of Ocean Charter School

The unifying goals of the All Community Group meetings are to:

**Inform:** Facilitate open communication within the entire OCS community through updates, announcements, and curriculum education from our teachers, committees, staff members, and guest speakers. ACG is a forum by which OCS communicates with the community regarding our public Waldorf educational program.

**Motivate:** Encourage community participation in school activities, including festivals, celebrations, events, fundraisers, site beautification days, and gardening.

**Unite:** Bring together parents, faculty, staff, and Board. The collaborative efforts of the ACG help Ocean Charter School realize its mission of offering an arts-integrated, experiential curriculum within a safe, beautiful, and successful environment. ACG is the forum where OCS consults with all stakeholders (parents, teachers, staff, and administrators) to develop its LCAP and present an annual update.

Two or three individuals are elected by a community-wide vote to jointly direct the ACG's activities, which typically involve monthly meetings open to the entire community. One of the elected ACG "Governors" serves as an ex officio member of the Board of Trustees. The purpose of this overlap is to provide a link between the larger community and the Board.

### Ocean Charter School Website

The OCS website supports stakeholder involvement by encouraging community participation in the All Community Group (ACG), school committees such as Diversity and Equity, festivals, events, activities, site beautification days, gardening, and library assistance.