



# LOS ANGELES UNIFIED SCHOOL DISTRICT

## Board of Education Report

<b>Report Number:</b>	044-11/12
<b>Date:</b>	September 6, 2011
<b>Subject:</b>	Approval of the Amendment to the Charter for Arts In Action Community Charter School
<b>Responsible Staff:</b>	
Name	José J. Cole-Gutiérrez, Director, Charter Schools
Office/Division	Innovation and Charter Schools Division
Telephone No.	(213) 241-2487

### BOARD REPORT

**Action Proposed:** Staff recommends the following action:

Approve the amendment to the charter for Arts In Action Community Charter School to locate the charter school in Local District 5, Board District 2, at 1241 S. Soto Street. The school will be located in this target neighborhood instead of the target area approved in their original petition, which indicated Local District 3, Board District 1, near the Baldwin Hills area of the district. Approval of the material revision is contingent upon Arts In Action Community Charter School obtaining an appropriate certificate of occupancy prior to the date of this board meeting.

**Background:** Staff of the Innovation and Charter Schools Division recommends the approval of the amendment of Arts In Action Community Charter School to amend the following charter provisions:

- Element 1 –Revises the target neighborhood and demographics of the new target neighborhood
- Element 7- Revises the locations for outreach to the new target neighborhood
- Element 8-Revises admission preference language in the petition to align with requirements of the Public Charter Schools Grant Program (PCSGP)
- Also updates facilities and dispute resolution language throughout the charter.

The attached amendment provides the specific petition language for this request.



## LOS ANGELES UNIFIED SCHOOL DISTRICT Board of Education Report

On April 20, 2010, the Board of Education approved the new petition of Arts In Action Community Charter to open in the 2011-12 school year. The petition was approved for a total of 295 students in grades K-5 by 2015-2016.

On August 3, 2011 the board of Arts In Action Community Charter submitted a request to amend their charter. The leadership team of Arts In Action Community Charter sought the change in location due to lack of facility availability and, in order to be eligible for funding (\$220,000) from the Walton Family Foundation. The charter school was eligible for the specific funding because the charter school met Walton Foundation requirements, one of which included a requirement of location within LAUSD Local Districts 4 through 7.

Within the new target neighborhood, 1241 S. Soto Street, there are sixteen (16) elementary schools that are in Program Improvement status 2 and above, whereas the target neighborhood approved in the initial petition contained nine (9) elementary schools that are Program Improvement status 2 and above. The new target neighborhood contains elementary schools whose population of students eligible for free/reduced lunch ranges from 82% to 100%. The target neighborhood of the initial petition included elementary schools whose population of students eligible for free/reduced lunch ranged from approximately 72% to 100%. The new target neighborhood elementary schools serve English Learner populations that range from approximately 36% to 78%, whereas the elementary schools in the target neighborhood of the initial petition served English Learner populations ranging from 11% to 44%.

**Expected Outcomes:** Arts In Action Community Charter School is expected to operate its charter school in a manner consistent with local, state, and federal ordinances; laws; regulations; and the terms and conditions set forth in its charter petition.

**Board Options and Consequences:** “Yes” – The approval of the amendment of the charter would give Arts In Action Community Charter School the right to operate as a charter school under the terms of the amendment for the five (5) years of a five-year charter.

“No” – The denial of the amendment of the charter would cause Arts In Action Community Charter School to operate under the terms of its current charter. In this instance, the charter school would have to identify another site, which will present a challenge to opening this fall.



## LOS ANGELES UNIFIED SCHOOL DISTRICT Board of Education Report

**Policy Implications:** The Policy for Charter Schools adopted in 2010.

**Budget Impact:** State Revenue Limit income and various other income sources to the District are reduced when current District students enroll at a charter school, and comparable or offsetting expenditure savings may not occur in such cases. Under Education Code section 47604(c), a school district that grants a charter to or operates a charter school that is formed as a non-profit public benefit corporation is not held liable for the charter school's debts or obligations as long as the school district complies with all oversight responsibilities. The District will continue to have monitoring and supervisory responsibility for charter school finances, as specified in the Charter Schools Act. Any modifications to the charter school's petition or operations with significant financial implications would require District approval prior to implementation. Petition approval is also contingent upon adequate liability insurance coverage.

**Issues and Analysis:** If all pending issues are not resolved at the time of the Board meeting, the Office of General Counsel will recommend the denial of the material revision.

**Attachments:** Amendment

**Informative**

**Desegregation  
Impact Statement**



# LOS ANGELES UNIFIED SCHOOL DISTRICT

## Board of Education Report

Respectfully submitted,

APPROVED BY:

DR. JOHN E. DEASY  
Superintendent of Schools

MICHELLE KING  
Senior Deputy Superintendent  
School Operations

APPROVED & PRESENTED BY:

REVIEWED BY:

JOSÉ J. COLE-GUTIÉRREZ  
Director, Charter Schools  
Innovation and Charter Schools Division

DAVID HOLMQUIST  
General Counsel

Approved as to form.

TONY ATIENZA  
Budget Director (Interim)

Approved as to budget impact statement.

## AMENDMENT TO THE CHARTER OF ARTS IN ACTION COMMUNITY CHARTER SCHOOL

This Amendment to the Charter of Arts in Action Community Charter School (“Amendment”) is made between Los Angeles Unified School District (“District” or “LAUSD”), a California public school district, and Arts in Action Community Charter School (“Charter School”, “Arts in Action”, and/or “AIA”) a **California non-profit corporation**. This Amendment is to be read in conjunction with and shall expressly amend the Charter of Arts in Action Community Charter School approved by the Los Angeles City Board of Education on April 20, 2010 (“Charter”). This Amendment is contingent upon the provision of a Certificate of Occupancy by the Charter School to the District. The effective date of this Amendment is the date of approval by the Board of Education.

### RECITALS.

A. WHEREAS, Charter School agrees to amend its Charter, and where required, its Bylaws, to reflect changes to the Charter as noted below.

B. WHEREAS, District and Charter School jointly agree to amend certain provisions of the Charter to reflect District policy and applicable state and federal laws, statutes, and regulations.

NOW, THEREFORE, the parties hereby acknowledge the adequacy of the consideration given for this Amendment and, notwithstanding any provision to the contrary set forth in the Charter, the parties hereto expressly agree as follows:

**Element 1 – Educational Program:** Element 1 of the Charter shall be amended as follows:

Overview: The corresponding provisions on page 12 (twelve) of the Charter under the section titled “Overview” shall be deleted and replaced with the following:

“The address of the Charter School is 1241 South Soto Street, Los Angeles.  
The phone number of the Charter School is 213 266-4371.  
The contact person for the Charter School is Ms. Glenda Aleman, Principal.  
The grade level of students in 2011-12 is K-4.

Except for the statement, on page 12 of the Charter, that priority preference shall be “given to pupils who reside within the LAUSD attendance area”, other admission preferences shall be deleted. Further, any and all references in the Charter to the Crenshaw neighborhood and Hillcrest Drive Elementary for admission preference or target population shall likewise be deleted.

Target Population and Projected Student enrollment: The section and charts, on pages 13 and 15 of the Charter, under the section titled “Whom the School is attempting to Educate” shall be deleted and replaced with the following provisions and charts:

The Arts in Action Community Charter School (Arts in Action) will be a K-5 independent elementary charter school using progressive education methods, with a focus on the arts and taking action to create a more just, humane and sustainable world. The school anticipates enrolling 220 students in grades K-4 in year one and adding a grade level each subsequent year until it reaches 5<sup>th</sup> grade. At capacity, the school intends to serve approximately 294 students. The student-to-teacher ratio in grades K-3 will be one teacher per 20-22 students, with a goal of maintaining a maximum class size of 22-25 students in fourth and fifth grades. The projected student enrollment is higher in the first year to help the school launch strong despite difficult current fiscal economic conditions and given start-up costs. The projected student enrollment drops in the second year as a result of natural student attrition (that is, the school will not replace students who have left the school, except to fill to the desired enrollment numbers).

*Target student population.* AIA hopes to serve primarily students who would have otherwise attended Christopher Dena Elementary School, and serve as an option for students who may have otherwise attended private (parochial) school, along with students who help to achieve ethnic diversity reflective of the school district. AIA hopes to attract students and families who are enthusiastic about the school's approach and mission.

***Types of students – demographics:***

*Income level and race/ethnicity.* With a population of 87,426 residents in 2000, the Boyle Heights community is predominantly Latino (approximately 95%). Of all residents, 53% are immigrants and 60% are citizens. (This is based on legal residents documented in the 2000 Census; actual numbers of immigrants are likely higher.) Eighty-two percent of Boyle Heights' households have children, and the average household size is 4.01.<sup>9</sup>

The residents of Boyle Heights are under enormous economic pressures:

- 33% of the population live below the poverty line
- 40% of children under 17 live below the poverty line
- Median household income is \$25,188
- Per capita income is \$8,150 75% of residents rent their homes.<sup>10</sup>

*Academic aptitude and prior academic experience.* AIA believes that all students have the aptitude to meet high academic expectations, given high quality instruction and appropriate student-support mechanisms. Christopher Dena Elementary has struggled persistently, and is in year 5 of Program Improvement, received an API score of 658 in 2007, a 700 in 2008, 702 in 2009, and dropped to 687 in 2010. The school posted state and similar schools rankings of 1 every year since 2006. Recent results from California Standards Tests show the low achievement of most students attending Dena Elementary:

**Dena Elementary School 2008-09 CST Scores - Percent of Students Performing at Proficient or Advanced<sup>1</sup>**

	<b>English</b>	<b>Math</b>
Schoolwide	31%	42%
2 <sup>nd</sup> Grade	45%	56%
3 <sup>rd</sup> Grade	33%	41%
4 <sup>th</sup> Grade	40%	34%
5 <sup>th</sup> Grade	34%	39%

*Other applicable characteristics of the target population.* At Dena Elementary, 100% of the students speak Spanish at home, and 54% qualify as English Language Learners. AIA will ensure these students have full access to the curriculum and will provide a strong English Language Development program. Student mobility is high, with just 84% staying enrolled from one year to the next, compared to 90% in the district overall. A high percentage of families rent (93% in the 90023 zip code, as opposed to 22.1% nationally) and thus are less rooted to the school. While high student mobility is a challenge for any school, Arts in Action's engaging curriculum and close, supportive relationships with families will give them greater incentives to keep their kids in the school.

High rates of violent crime in the neighborhood, high poverty rates and other environmental factors will present barriers to some students' learning, as students' increased likelihood to have witnessed or been otherwise victimized by crime makes focusing on learning more difficult. AIA recognizes that it must enable students to learn by addressing these types of barriers. AIA cares about students' emotional health, and as such, will address the roots of students' poor academic performance through means such as connecting students and families with counseling resources and other interventions for students at greater risk for criminal activity. Also, by providing a highly engaging curriculum, students will be more likely to be "swept up" in learning rather than fighting off worrisome thoughts.

**Projected Student Enrollment in Years 1-5**

	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>
Kindergarten	80	54	54	54	54
First	55	51	51	51	51
Second	23	51	51	51	51
Third	33	51	51	51	51
Fourth	22	46	44	44	44
Fifth		23	44	44	44
<b>Total Students:</b>	213-220	253	295	295	295

<sup>1</sup> California Department of Education (2011). Dataquest.

## Demographics for Target Population

School	2010 Growth API Testing Enrollment	Multi-Track	2010-11 PI Status Blank = not in PI	Met 2010 Schoolwide Growth Target	Met 2010 Subgroup Growth Targets	2010 Growth API	2009 Base API	2009 Base API State Rank	2009 Base API Similar Schools Rank	% Free/Reduced Lunch	% Sp Ed	% EL	% Hisp	% White	% Af Amer
1ST ST EL	457	No	5	Yes	No	751	741	3	5	96	8	47	100	0	0
20TH ST EL	462	Yes	5	Yes	Yes	745	717	2	5	96	9	53	95	0	5
2ND ST EL	407	No	2	Yes	Yes	727	709	2	6	95	14	48	98	0	2
AMANECER PC	58	No		Yes	Yes	846	832	7		100	7	78	100	0	0
BELVEDERE EL	647	No	4	No	No	694	708	2	5	100	11	43	100	0	0
BREED EL	439	No	5	No	No	698	697	1	3	95	11	46	99	0	0
BRIDGE EL	243	No	5	Yes	Yes	728	690	1	4	93	18	41	98	0	0
DENA EL	446	No	5	No	No	687	702	2	4	100	8	48	99	0	0
EUCLID EL	730	No	3	Yes	Yes	733	709	2	2	100	8	45	99	0	0
GARZA PC	43	No		No	Yes	785	788	5	n/a	100	7	77	100	0	0
LORENA EL	498	No	5	Yes	Yes	698	692	1	1	100	8	49	99	0	0
MALABAR EL	589	No	5	Yes	Yes	736	715	2	4	100	14	43	100	0	0
NEVIN EL	510	Yes	5	No	No	700	697	1	3	100	9	56	95	0	4
ROWAN EL	683	No	4	Yes	Yes	756	709	2	3	100	9	36	100	0	0
SHERIDAN ST EL	828	No	2	Yes	Yes	726	710	2	5	99	14	47	98	0	1
SOTO EL	223	No	3	Yes	Yes	756	669	1	2	100	21	40	98	2	0
SUNRISE EL	296	No	5	No	No	716	733	3	8	100	20	53	99	0	0
UTAH EL	357	No	2	Yes	Yes	763	734	3	7	99	17	34	96	0	1
VERNON CITY EL	192	No		Yes	Yes	791	762	4	10	85	9	33	100	0	0

**Element 7 – Racial and Ethnic Balance.** All descriptions of the Charter School’s outreach efforts reflective of the target areas in the Charter shall be amended and replaced with the following provisions:

“Outreach activities will be conducted in and around the attendance areas of Christopher Dena Elementary where Latino students predominate as well as in the neighborhoods within a 5-mile radius of the 10, 5, and 60 freeways where White, Asian American, and African American and other ethnic students reside in larger concentrations.

The Charter School will develop promotional and informational material (i.e. a school brochure, flyers, a website, and advertisements for local media) that are easily transmittable to all of the various racial and ethnic groups represented in the district. Promotional and informational materials will be distributed in a variety of community settings to a broad range of community groups, agencies, neighborhood youth organizations, social service providers, churches, grocery stores, public libraries, and legislators that serve the various racial, ethnic and interest groups represented in the district. Materials in Spanish, Japanese, and



English will be distributed in order to reach the limited English proficient populations that exist in the area.

Arts in Action will provide information and outreach materials to the following schools and community centers:

- El Centro de Ayuda
- Hompa Hongwanji Buddhist Temple
- Preschools throughout the outreach areas
- Japanese American Cultural Center
- Weller Street Baptist Church
- Boyle Heights Youth
- Catholic Schools throughout the outreach areas.”

**Element 8 - Admission Requirements.** In line with the Public Charter Schools Grant Program requirements, the provisions regarding public random drawing and admission preferences shall be amended and replaced with the following:

“Should the amount of pupils that wish to attend Arts in Action exceed the capacity of the school during the recruitment period, a public random lottery will take place to determine the school enrollment in accordance with Education Code section 47605(d)(2)(B). However, the following students will be exempt from the lottery: (1) Current students enrolled in the school, (2) siblings of children enrolled in the school, (3) children of faculty employed at the school, and (4) children of founders. Exempted students delineated in items (3) and (4) together will not to exceed 10% of the student population.

Weighted preference will be given to (1) pupils that reside within the LAUSD attendance area with a weight of 2x and (2) students for whom special consideration is required to comply with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 404 of the Rehabilitation Act of 1973, or the Equal Protection Clause of the United States Constitution, with a weight of 2x.

All other categories of students will participate in the lottery with no weighted preference.”

**Element 14 - Dispute Resolution:** The sections on pages 202 to 203 of the Charter shall be deleted in its entirety and replaced with the following language:

“The staff and governing board members of Arts In Action Community Charter School agree to resolve any claim, controversy or dispute arising out of or relating to the Charter agreement between the District and Arts In Action Community Charter School, except any controversy or claim that is in any way related to revocation of this Charter, (“Dispute”) pursuant to the terms of this Element 14.

Any Dispute between the District and Arts In Action Community Charter School shall be resolved in accordance with the procedures set forth below:

- 1) Any Dispute shall be made in writing (“Written Notification”). The Written Notification must identify the nature of the Dispute and any supporting facts. The Written Notification shall be tendered to the other party 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 Notifications shall be addressed as follows:

To Charter School: c/o School Director	Arts In Action Community Charter School Ms. Glenda Aleman, Principal 1241 S Soto Street Los Angeles, California 90023
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To Director of Charter Schools:	Director of Charter Schools Los Angeles Unified School District 333 South Beaudry Avenue, 25 <sup>th</sup> Floor Los Angeles, California 90017
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- 2) A written response (“Written Response”) shall be tendered to the other party within twenty (20) business days from the date of receipt of the Written Notification. The parties agree to schedule a conference to discuss the Dispute identified in the Written Notice (“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. 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 5:00 p.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.
- 3) If the Dispute cannot be resolved by mutual agreement at the Issue Conference, either party may then request that the Dispute be resolved by mediation. Each party shall bear its own attorney’s fees, 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 120 days from the date of either party’s request for mediation following the Issue Conference. The parties shall mutually agree upon the selection of a mediator to resolve the Dispute. The mediator may be selected from the approved list of mediators prepared by the American Arbitration Association. Unless the parties mutually agree otherwise, mediation proceedings shall be administered in

accordance with the commercial mediation procedures of the American Arbitration Association.

- 4) If the mediation is not successful, then the parties agree to resolve the Dispute by binding arbitration conducted by a single arbitrator. Unless the parties mutually agree otherwise, arbitration proceedings shall be administered in accordance with the commercial arbitration rules of the American Arbitration Association. The arbitrator must be an active member of the State Bar of California or a retired judge of the state or federal judiciary of California. Each party shall bear its own attorney's fees, costs and expenses associated with the arbitration. The arbitrator's fees and the administrative fees of the arbitration shall be shared equally among the parties. However, any party who fails or refuses to submit to arbitration as set forth herein shall bear all attorney's fees, costs and expenses incurred by such other party in compelling arbitration of any controversy or claim."

**Facilities:** All provisions on pages 210 to 213 of the Charter titled "Facilities" shall be deleted and replaced with the following language:

**Facilities**

- Proposed Charter School Location: 1241 S Soto, Los Angeles, 90023
- Names of District school sites near proposed location: Soto St EL, Garza Primary Center, Christopher Dena EL, Sunrise EL
- Proposed Charter School to be located within the boundaries of LAUSD:  
Yes

**District-Owned Facilities:** If Charter School is using LAUSD facilities as of the date of the submittal of this charter petition or takes occupancy of LAUSD facilities prior to the approval of this charter petition, Charter School shall execute an agreement provided by LAUSD for the use of the LAUSD facilities as a condition of the approval of the charter petition. If at any time after the approval of this charter petition Charter School will occupy and use any LAUSD facilities, Charter School shall execute an agreement provided by LAUSD for the use of LAUSD facilities prior to occupancy and commencing use.

Charter School agrees that occupancy and use of LAUSD facilities shall be in compliance with applicable laws and LAUSD policies for the operation and maintenance of LAUSD facilities and furnishings and equipment. All LAUSD facilities (i.e., schools) will remain subject to those laws applicable to public schools which LAUSD observes.

In the event of an emergency, all LAUSD facilities (i.e., schools) are available for use by the American Red Cross and public agencies as emergency locations which may disrupt or prevent Charter School from conducting its educational programs. If Charter School will share the use of LAUSD facilities with another LAUSD user group, Charter School agrees it will participate in and observe all

LAUSD safety policies (e.g., emergency chain of information, participate in safety drills).

As a condition to the approval of the charter petition, Arts In Action Community Charter School will enter into a Public School Choice Facilities Use Agreement with the LAUSD prior to occupying or using the LAUSD facilities.

The use agreements provided by LAUSD for LAUSD facilities shall contain terms and conditions addressing issues such as, but not limited to, the following:

- Use. Charter School will be restricted to using the LAUSD facilities for the operation of a public school providing educational instruction to public school students consistent with the terms of the charter petition and incidental related uses. LAUSD shall have the right to inspect LAUSD facilities upon reasonable notice to Charter School.
- Furnishings and Equipment. LAUSD shall retain ownership of any furnishings and equipment, including technology, (“F&E”) that it provides to Charter School for use. Charter School, at its sole cost and expense, shall provide maintenance and other services for the good and safe operation of the F&E.
- Leasing; Licensing. Use of the LAUSD facilities by any person or entity other than Charter School shall be administered by LAUSD. The parties may agree to an alternative arrangement in the use agreement.
- Minimum Payments or Charges to be Paid to LAUSD Arising From the Facilities.
  - (i) Pro Rata Share. LAUSD shall collect and Charter School shall pay a Pro Rata Share for facilities costs as provided in the Charter School Act of 1992 and its regulations. The parties may agree to an alternative arrangement regarding facilities costs in the use agreement; and
  - (ii) Taxes; Assessments. Generally, Charter School shall pay any assessment or fee imposed upon or levied on the LAUSD facilities that it is occupying or Charter School’s legal or equitable interest created by the use agreement.
- Maintenance & Operations Services. In the event LAUSD agrees to allow Charter School to perform any of the operation and maintenance services, LAUSD shall have the right to inspect the LAUSD facilities and the costs incurred in such inspection shall be paid by Charter School.
  - (i) Co-Location. If Charter School is co-locating or sharing the LAUSD facilities with another user, LAUSD shall provide the operations and maintenance services for the LAUSD facilities and Charter School shall pay the Pro Rata Share. The parties may agree to an alternative arrangement regarding performance of the operations and maintenance services and payment for such in the use agreement.

(ii) Sole Occupant. If Charter School is a sole occupant of LAUSD facilities, LAUSD shall allow the Charter School, at its sole cost and expense, to provide some operations and maintenance services for the LAUSD facilities in accordance with applicable laws and LAUSD's policies on operations and maintenance services for facilities and F&E. NOTWITHSTANDING THE FOREGOING, LAUSD shall provide all services for regulatory inspections, which as the owner of the real property is required to submit, and deferred maintenance and Charter School shall pay LAUSD for the cost and expense of providing those services. The parties may agree to an alternative arrangement regarding performance of the operations and maintenance services and payment for such services in the use agreement.

- Real Property Insurance. Prior to occupancy, Charter School shall satisfy those requirements to participate in LAUSD's property insurance or, if Charter School is the sole occupant of LAUSD facilities, obtain and maintain separate property insurance for the LAUSD facilities. Charter School shall **not** have the option of obtaining and maintaining separate property insurance for the LAUSD facility IF Charter School is co-locating or sharing the LAUSD facility with another user.

**Facility status:** The charter petitioner must demonstrate control of a facility such as a commitment from the landlord, to ensure that the property is actually available to the charter developer, and that the facility is usable with or without conditions (such as a conditional code permit.) The charter school facility shall comply with all applicable building codes, standards and regulations adopted by the city and/or county agencies responsible for building and safety standards for the city in which the charter school is to be located, and the Americans with Disabilities Act (ADA). Applicable codes and ADA requirements shall also apply to the construction, reconstruction, alteration of or addition to the proposed charter school facility. The Charter School cannot exempt itself from applicable building and zoning codes, ordinances, and ADA requirements.

**Occupancy of the Site:** The charter petitioner or developer shall provide the District with a final Certificate of issued by the applicable permitting agency, allowing the petitioner to use and occupy the site. The Charter School may not open without providing a copy of the Certificate of Occupancy for the designated use of the facility. If the Charter School moves or expands to another facility during the term of this charter, the Charter School shall provide a Certificate of Occupancy to the District for each facility before the school is scheduled to open or operate in the facility or facilities. 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 outlined in Element 14.

**Health & Safety:** The Charter School will comply with the Healthy Schools Act, California Education Code Section 17608, which details pest management

requirements for schools. Developers may find additional information at: [www.laschools.org/employee/mo/ipm](http://www.laschools.org/employee/mo/ipm)

**Asbestos Management:** The Charter School will 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.”

1. The Charter School warrants that it is/is operated by a non-profit corporation in good standing in the State of California.
2. The Charter School warrants that employer contributions are being made towards the STRS and PERS funds for its eligible employees, as stated in the Charter Petition. LAUSD, as the authorizing oversight entity, is not and shall not be liable for any arrears, interest and penalties Charter School may owe and incur towards the STRS and PERS fund.
3. All other provisions of the Charter shall remain in effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be duly executed and delivered in their respective names by their authorized representatives as of the date set forth below:

DATED: August \_\_\_\_\_, 2011

ARTS IN ACTION COMMUNITY CHARTER SCHOOL (“Charter School”)

By: \_\_\_\_\_

Title: \_\_\_\_\_

Authorized Representative of Arts in Action Community Charter School.

DATED: September \_\_\_\_\_, 2011

LOS ANGELES UNIFIED SCHOOL DISTRICT (“District”)

By: \_\_\_\_\_

Title: \_\_\_\_\_

Authorized Representative of Los Angeles Unified School District

INTEROFFICE CORRESPONDENCE  
Los Angeles Unified School District  
Innovation and Charter Schools Division

**INFORMATIVE**

**Date:** September 6, 2011

**TO:** Members, Board of Education  
Dr. John E. Deasy, Superintendent

**FROM:** José J. Cole-Gutiérrez, Director, Charter Schools  
Innovation and Charter Schools Division

**SUBJECT: SUPPORTING DOCUMENTS FOR PROPOSED AMENDMENT TO CHARTER  
PETITION OF ARTS IN ACTION COMMUNITY CHARTER SCHOOL**

Attached please find supporting documentation for the proposed amendment to charter petition of Arts In Action Community Charter which will be presented to the Board of Education for action on September 6, 2011.

Documentation includes:

1. Map showing all LAUSD schools and charter schools within a 2 mile radius of the proposed new charter school site;
2. Breakdown of enrollment and test score information for all LAUSD and charter schools serving similar grade levels within a 2 mile radius of the proposed charter school site. Also included are any other charter schools operated by the petitioner (if applicable).

Other LAUSD schools and Charter Schools within a 2 mile radius of the proposed charter school are:

<u>LAUSD Elementary Schools</u>	<u>Charter Elementary Schools</u>
<ol style="list-style-type: none"><li>1. 1<sup>st</sup> Street EL</li><li>2. 2<sup>nd</sup> Street EL</li><li>3. 20<sup>th</sup> Street EL</li><li>4. Amanecer Primary Center</li><li>5. Belvedere EL</li><li>6. Breed EL</li><li>7. Bridge EL</li><li>8. Christopher Dena EL</li><li>9. Euclid EL</li><li>10. Garza Primary Center</li><li>11. Lorena EL</li><li>12. Malabar EL</li><li>13. Nevin EL</li><li>14. Rowan EL</li><li>15. Sheridan Street EL</li><li>16. Soto EL</li></ol>	<ol style="list-style-type: none"><li>1. Jardin De La Infancia</li><li>2. Para Los Niños</li><li>3. PUENTE Charter</li></ol>

17. Sunrise EL 18. Utah EL 19. Vernon City EL	
<u>LAUSD Middle Schools</u>  1. CRMS #7 Business and Technology School 2. CRMS#7 School of Arts and Culture 3. Hollenbeck MS 4. Stevenson MS	<u>Charter Middle Schools</u>  1. KIPP LA College Prep 2. Para Los Niños MS
<u>LAUSD High Schools</u>  1. Central HS 2. Jefferson HS 3. Mendez Learning Center Eng/Tech 4. Mendez Learning Center Math/Science 5. Metropolitan HS 6. New Tech SH@ Jefferson HS 7. Ramona HS 8. Roosevelt HS CMNT 9. Roosevelt HS HARTS 10. Roosevelt HS Law/Gov 11. Roosevelt HS MED 12. Roosevelt HS STEM 13. Roosevelt HS Magnet 14. (CDS Tri-C)	<u>Charter High Schools</u>  1. Animo Ralph Bunche 2. Animo Oscar De La Hoya

LAUSD Schools Under Construction: 9<sup>th</sup> Street Span K-8 Redevelopment

Other Charter Schools Operated by Petitioner: None.

Should you have questions or comments, please call me at (213) 241-2487 or e-mail me at [jose.cole-gutiérrez@lausd.net](mailto:jose.cole-gutiérrez@lausd.net).

c: Michelle King  
David Holmquist  
Enrique Boull't  
Jaime Aquino  
Jefferson Crain



LOS ANGELES UNIFIED SCHOOL DISTRICT  
2009 BASE API AND 2010 GROWTH API DEMOGRAPHICS  
SCHOOLS WITHIN A 2-MILE RADIUS

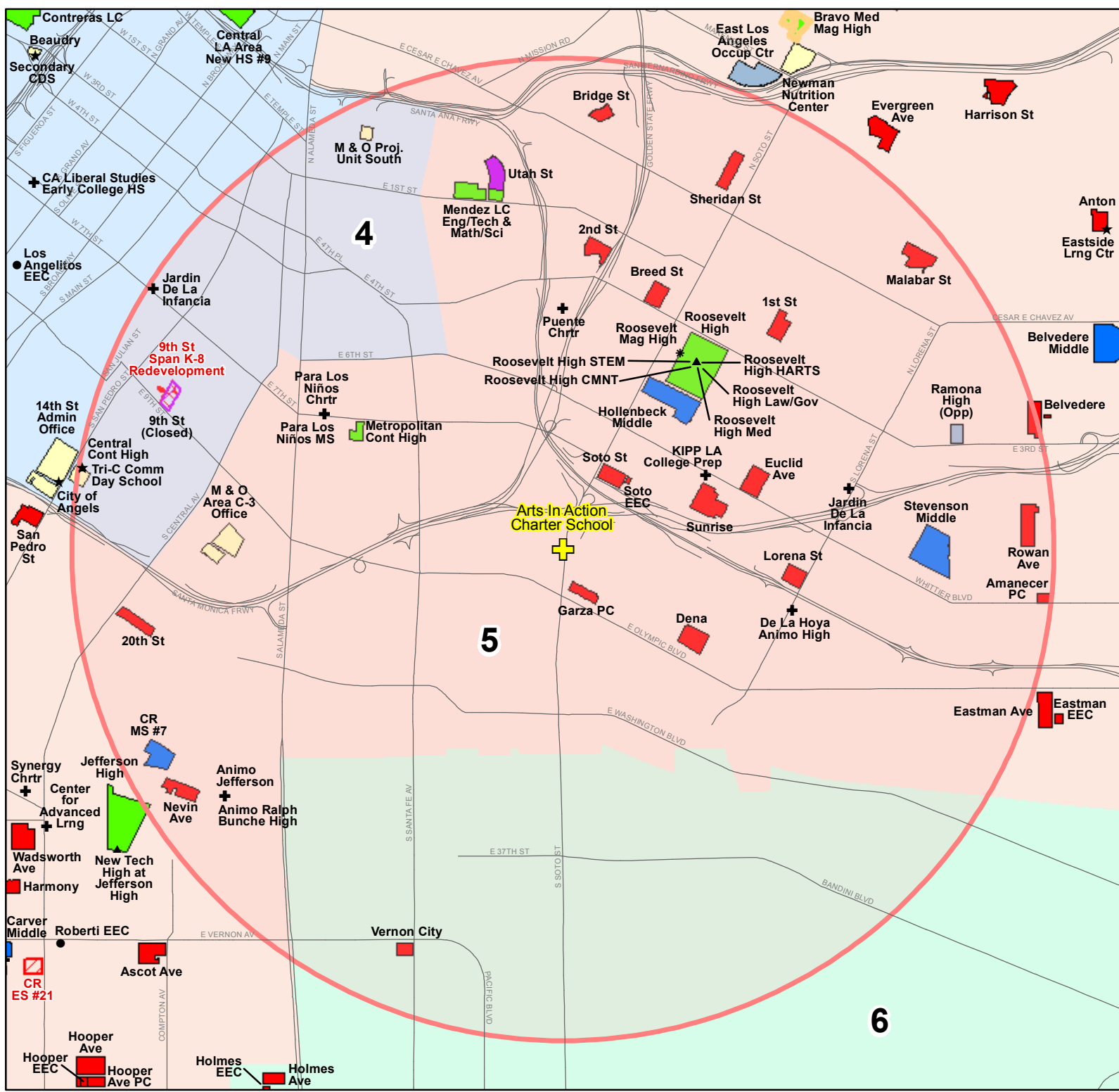
School: **Arts in Action**  
Address: **1241 South Soto Street, Los Angeles, CA 90023**  
Span: **Grades K-5**

LD	BD	Loc Code	School	2010 Growth API Testing Enrollment	Multi-Track	Status Blank = not in PI	Met 2010 Schoolwide Growth Target	Subgroup Growth Targets	2010 Growth API	2009 Base API	2009 Base API State Rank	API Similar Schools Rank	% Free/Reduced Lunch	% Sp Ed	% GATE	% EL	% RFEP	% Hisp	% White	% Af Amer	% Asian	% Fil	SCI
5	2	3836	1ST ST EL	457	No	5	Yes	No	751	741	3	5	96	8	5	47	25	100	0	0	0	0	167.480
5	2	7274	20TH ST EL	462	Yes	5	Yes	Yes	745	717	2	5	96	9	2	53	24	95	0	5	0	0	165.560
5	2	6575	2ND ST EL	407	No	2	Yes	Yes	727	709	2	6	95	14	3	48	23	98	0	2	0	0	162.810
5	5	6426	AMANECER PC	58	No		Yes	Yes	846	832	7		100	7	0	78	5	100	0	0	0	0	
R	2	5981	ANIMO JEFF CHT MS																				
R	7	8817	ANIMO RALPH BUNCHE	431	No		Yes	Yes	658	628	2	8	99	8	0	36	53	99	0	0	0	0	152.220
5	5	2397	BELVEDERE EL	647	No	4	No	No	694	708	2	5	100	11	3	43	34	100	0	0	0	0	164.850
5	2	2493	BREED EL	439	No	5	No	No	698	697	1	3	95	11	5	46	29	99	0	0	0	0	165.980
5	2	2521	BRIDGE EL	243	No	5	Yes	Yes	728	690	1	4	93	18	5	41	12	98	0	0	2	0	165.110
S	2	8580	CENTRAL HS	520	No				464	442	n/a	n/a	79	23	2	32	22	79	2	14	0	0	
5	2	5173	CRMS #7- BUS&TECH SCH																				
5	2	8070	CRMS #7- SCH ART&CULT																				
R	2	8827	DE LA HOYA ANIMO SH	433	No		No	No	711	709	4	9	96	7	0	22	64	100	0	0	0	0	156.260
5	2	3315	DENA EL	446	No	5	No	No	687	702	2	4	100	8	4	48	33	99	0	0	0	0	164.260
5	2	3671	EUCLID EL	730	No	3	Yes	Yes	733	709	2	2	100	8	10	45	17	99	0	0	0	0	168.270
5	2	3426	GARZA PC	43	No		No	Yes	785	788	5	n/a	100	7	0	77	2	100	0	0	0	0	
T	2	8179	HOLLENBECK MS	1703	No	5	Yes	No	626	616	1	3	100	12	9	29	47	98	0	1	0	0	157.700
R	2	4679	JARDIN D LA INFANCIA																				
5	7	8714	JEFFERSON SH	1604	No	5	Yes	No	548	514	1	1	99	11	4	39	46	91	0	8	0	0	149.240
R	2	8457	KIPP LA COLLEGE PREP	354	No		Yes	Yes	877	832	8	10	95	6	14	34	29	94	0	1	5	0	167.370
5	2	4945	LORENA EL	498	No	5	Yes	Yes	698	692	1	1	100	8	4	49	22	99	0	0	0	0	167.250
5	2	5082	MALABAR EL	589	No	5	Yes	Yes	736	715	2	4	100	14	3	43	22	100	0	0	0	0	166.020
T	2	7784	MENDEZ LC ENG/TECH	374	No				551	n/a	n/a	n/a	82	14	6	31	44	97	0	0	0	0	
T	2	8611	MENDEZ LC MATH/SCI	370	No				549	n/a	n/a	n/a	85	6	6	25	40	96	0	0	0	0	
5	2	8757	METROPOLITAN HS	119	No				625	679	n/a	n/a	76	3	3	36	39	94	0	3	2	0	0.000
5	2	5466	NEVIN EL	510	Yes	5	No	No	700	697	1	3	100	9	6	56	26	95	0	4	0	0	164.850
5	7	8771	NEW TECH SH @JEFF SH	287	No		No	No	679	712	5	7	100	3	11	23	67	97	0	3	0	0	161.500
R	2	2615	PARA LOS NINOS CHTR	215	No	1	No	No	699	702	2	2	100	7	0	66	21	100	0	0	0	0	166.670
R	2	8016	PARA LOS NINOS MS	147	No		Yes	Yes	708	660	1	n/a	92	14	1	34	39	96	0	1	2	0	
R	2	2621	PUENTE CHARTER																				
5	2	8807	RAMONA HS	143	No				503	468	n/a	n/a	85	10	1	36	23	97	0	1	0	0	
T	2	7749	ROOSEVELT HS CMNT	2866	No	5	Yes	No	607	576	1	5	88	12	9	33	51	99	0	0	0	0	148.933

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T	2	7746	ROOSEVELT HS HARTS																				
T	2	7745	ROOSEVELT HS LAW/GOV																				
T	2	7748	ROOSEVELT HS MED																				
T	2	7747	ROOSEVELT HS STEM																				
T	2	7751	ROOSEVELT HS MAGNET																				
5	5	6425	ROWAN EL	683	No	4	Yes	Yes	756	709	2	3	100	9	3	36	33	100	0	0	0	0	167.010
5	2	6685	SHERIDAN ST EL	828	No	2	Yes	Yes	726	710	2	5	99	14	4	47	25	98	0	1	0	0	164.900
5	2	6849	SOTO EL	223	No	3	Yes	Yes	756	669	1	2	100	21	4	40	31	98	2	0	0	0	164.110
T	2	8387	STEVENSON MS	2156	No		Yes	No	627	611	1	1	99	10	9	31	47	100	0	0	0	0	158.530
T	2	6988	SUNRISE EL	296	No	5	No	No	716	733	3	8	100	20	5	53	23	99	0	0	0	0	164.620
S	2	8991	CDS TRI - C	234	No				367	371	n/a	n/a	76	32	3	19	13	54	1	41	1	1	
5	2	7370	UTAH EL	357	No	2	Yes	Yes	763	734	3	7	99	17	10	34	33	96	0	1	2	0	163.860
6	5	7493	VERNON CITY EL	192	No		Yes	Yes	791	762	4	10	85	9	7	33	35	100	0	0	0	0	165.030



## L.A.U.S.D. FACILITIES WITHIN A TWO MILE RADIUS OF ARTS IN ACTION CHARTER SCHOOL

### LAUSD Facilities and Planned Projects

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>⊕ Charter School</li> <li>● Elementary School</li> <li>■ Middle School</li> <li>▲ High School</li> <li>● Planned Early Education Center</li> <li>☆ Planned Classroom Addition</li> <li>⊕ Planned Playground Expansion</li> <li>★ Planned School Reconfiguration</li> <li>⚠ Planned Continuation School</li> <li>🏠 Administrative Office</li> </ul> | <ul style="list-style-type: none"> <li>■ Elementary School</li> <li>■ Middle School</li> <li>■ High School</li> <li>■ Span School</li> <li>■ Magnet School (Fill Color Indicates Grade Level)</li> <li>■ Charter School (Fill Color Indicates Grade Level)</li> <li>■ Planned School (Color Indicates Grade Level)</li> <li>■ Closed School (Color Indicates Grade Level)</li> <li>■ Opportunity School or Non K-12 School</li> <li>■ Special Education School</li> <li>■ Administrative Site</li> </ul> |
|---|--|

### LAUSD Boundaries

- ▭ LAUSD Boundary
- 5 Local District 5 Area
- Area Outside of LAUSD

### Area of Interest

- 2 mi. Radius of Arts in Action Charter School
- ⊕ Arts in Action Charter School (Located in Board of Education District #2)



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 8/8/2011