

**Minutes of the  
CHIME Charter School  
Board of Directors Meeting  
Held via Zoom Video Conference  
Tuesday October 5th, 2021**

**Members Present:** Melissa Aguilar (VP), Josh Mark, Dawn Hamilton, Marc Polansky, Matt Rinnert, Tony Battaglia, Tracy Myman

**Members Absent:** None

**Others Present:** Erin Studer, Annie Cox, Irina Castillo, Kathy Jamison, Caitlin Healey, Shelbi Doherty

Call to Order: The meeting was called to order by Board Chair/President P. Smith **Public Comment** (3 minutes each)—Speakers were allowed the opportunity to “sign up” for public comment before the start of the meeting and public comment was invited for each agenda action item. Each speaker, if any, was advised of the three (3) minute time limit and that ordinarily, Board members cannot respond to presentations on non-action items as no action can be taken on non-agenda items, but that the Board may advise that direction may be given to staff following a presentation later.

**I. Public Comment:** There was an opportunity for public comment, and none was made

**II. Consent Agenda:** The following item(s) may be adopted by a single vote of the board, or any item(s) may be pulled off of consent by any member’s request (without any need for a vote to pull from consent).

1. Approval of the minutes of the 9/14/2021 CHIME Charter School Board Meeting
  - a. **M/S/P Motion** (J. Mark, M. Rinnert) to approve the Minutes of the Chime Charter School Board of Directors meeting on September 14th, 2021 as amended to include T. Myman and M. Aguilar in attendance
2. **Public comment:** There was an opportunity for public comment. None were made
  - a. **VOTE**
  - b. **Yeses:** *J. Mark, T Battaglia, D. Hamilton, M. Polansky, M. Rinnert, M. Aguilar, T. Myman*
  - c. **No’s:** None
  - d. **Abstentions:** *None*
  - e. **MOTION PASSES:** *7-0-0*

**III. Update on Fiscal Policy**

1. I. Castillo explained why the update is necessary.
2. She explained that the only difference is that the fiscal policy would need to identify a new way of paying for goods and services. The change has been sent to all board members.
  - a) There was a discussion about how this might change procedures.
3. **M/S/P Motion** (D. Hamilton/ J. Mark) to approve update the fiscal policy to include an invoice pay option to make payments
4. **Public comment:** There was an opportunity for public comment. None were

made

**a. VOTE**

b. **Yeses:** *J. Mark, T Battaglia, D. Hamilton, M. Polansky, M. Rinnert, M. Aguilar, T. Myman*

c. **No's:** None

d. **Abstentions:** *None*

e. **MOTION PASSES:** *7-0-0*

**IV. Financial Update**

1. I. Castillo shared her financial update.
2. There was a discussion about independent study and how many students and which students are using it.
3. I. Castillo discussed various strategies to move funding around in order to accommodate less funding due to low enrollment. There was a discussion about enrollment.
4. I. Castillo explained the expenses, deferrals, check register
5. There was a discussion about the procedure for marking students attendance in independent study. Irina said that she would

**V. Educational report**

1. E. Studer shared his board report.
2. There was a discussion about the Vaccination requirement for staff and compliance so far.
3. There was a discussion about the district's student vaccination policy.

**VI. Affirmation of Continuing Emergency Conditions Necessitating Virtual Board Meeting**

1. The board was given the following recommendation from Dr. Studer:

**CHIME Institute School**

October 05, 2021

**TO:** CHIME Institute  
Board of Directors

**FROM:** Erin Studer  
Executive Director

**SUBJECT: Recommendation to approve October and November 2021  
CHIME Institute Virtual Board Meeting**

**BACKGROUND**

While California's Ralph M. Brown Act has been amended to allow fully virtual board meetings during a state of emergency after the Governor signed Assembly Bill 361

into law on September 16, 2021. The new law comes as local public agencies were preparing for the expiration of Executive Orders that currently allow virtual board meetings. AB 361 goes into effect immediately, and it amends Section 54953 of the Brown Act to allow virtual board meetings through January 1, 2024 in any of the following circumstances:

1. The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
2. The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
3. The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

These circumstances allow agencies to hold entirely virtual board meetings during the current pandemic, while California is in a proclaimed state of emergency. The previous teleconference rules under the Brown Act also remain in place, but are not as flexible.

If a board meeting is held virtually under the new provisions of AB 361, the agenda must still be posted under the appropriate timelines: 72 hours in advance for a regular board meeting, and 24 hours in advance for a special board meeting. The agenda must include the meeting link or dial-in, so that members of the public may

access the meeting. Members of the public must be allowed to address the board in real-time during the meeting. Boards can no longer require public comments to be submitted in advance. When boards use agenda items with timed public comment periods, they must allow those time limits to expire before closing public comment. When boards take public comment separately on each agenda item, they must allow a reasonable amount of time per agenda item.

AB 361 also has special provisions for technical glitches. In the event the meeting broadcast is disrupted, or if a technical issue on the agency's end disrupts public comment, the board cannot take any further action on the agenda until the technical issue is resolved.

Most significantly, in order to continue to hold virtual meetings when a state of emergency remains active, the board must make findings every 30 days that 1) the board has reconsidered the circumstances of the state of emergency and 2) the state of emergency continues to directly impact the ability of the members to meet safely in person or state or local officials continue to impose or recommend measures to promote social distancing.

As of now, the current Executive Orders that allow fully virtual board meetings are slated to remain in effect until September 30, 2021. This gives public agencies about two weeks to prepare for virtual meetings under AB 361.

## **ANALYSIS**

- 1) the CHIME Charter board has reconsidered the circumstances of the state of emergency and
- 2) the state of emergency continues to directly impact the ability of the members to meet safely in person or state or local officials continue to impose or recommend measures to promote social distancing.

## **RECOMMENDATION**

It is recommended that the Board of Directors approve to conduct the October 5, 2021 and November 2<sup>nd</sup>, 2021 Board meetings virtually.

2.

It is recommended that the Board of Directors approve to conduct the October 5, 2021 and November 2<sup>nd</sup>, 2021 Board meetings virtually.

3.

4. **RESOLUTION M/S/P**(M. Aguilar, J. Mark) The board resolves to conduct October 5<sup>th</sup> and November 2nd board meetings remotely via Zoom.
5. **Public comment:** There was an opportunity for public comment. None were made
- a. **VOTE**
- b. **Yeses:** *J. Mark, T Battaglia, D. Hamilton, M. Polansky, M. Rinnert, M. Aguilar, T. Myman*
- c. **No's:** None
- d. **Abstentions:** *None*
- e. **MOTION PASSES:** *7-0-0*

**VII. Approval of the minutes of the 9/14/2021 CHIME Charter School Board special Meeting**

- a. **M/S/P Motion** (J. Mark, M. Rinnert) to approve the Minutes of the Chime Charter School Board of Directors Special Meeting on August 3<sup>rd</sup>, 2021
2. **Public comment:** There was an opportunity for public comment. None were made
- a. **VOTE**
- b. **Yeses:** *J. Mark, T Battaglia, D. Hamilton, M. Polansky, M. Rinnert, M. Aguilar, T. Myman*
- c. **No's:** None
- d. **Abstentions:** *None*
- e. **MOTION PASSES:** *7-0-0*

**VIII. Adjournment The next meeting will be on 2021**

1. **M/S/P Motion** (M. Aguilar) to adjourn the CHIME Charter School Board meeting.
2. **Public comment:** There was an opportunity for public comment and none were made.
- a. **VOTE**
- b. **Yeses:** *J. Mark, T Battaglia, D. Hamilton, M. Polansky, M. Rinnert, M. Aguilar, T. Myman*
- c. **No's:** None
- d. **Abstentions:** *none*
- e. **MOTION PASSES:** *7-0-0*