

**Minutes of the
CHIME Charter School
Board of Directors Meeting
Held via Zoom Video Conference
Tuesday November 2nd, 2021**

Members Present: Matt Rinnert, Patrick Smith, Dawn Hamilton, Melissa Aguilar, Tony Battaglia, Marc Polansky, Joshua Mark

Members Absent: Traci Myman

Others Present: Annie Cox, Erin Studer, Kathy Jamison, Irina Castillo (EXED), Shelbi Doherty, Caitlin Healey, William Caplenor

I. Affirmation of Continuing Emergency Conditions Necessitating Virtual Board Meeting

1. Dr. Studer presented the following recommendation that board meetings be held remotely.

November 2nd, 2021

TO: CHIME Charter
Board of Directors

FROM: Erin Studer
Executive Director

SUBJECT: Recommendation to approve November and December 2021 CHIME Charter School 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 November 2nd and December 7th, 2021 Board meetings virtually.

- a. **M/S/P Motion** (P. Smith/ M. Polansky) to approve affirm the continuing emergency conditions necessitating a virtual board meeting as per AB361
- 2. **Public comment:** There was an opportunity for public comment. None were made
- a. **VOTE**
- b. **Yeses:** *D. Hamilton, M. Aguilar, M. Polansky, T. Battaglia, M. Rinnert*
- c. **No's:** None
- d. **Abstentions:** *None*
- e. **MOTION PASSES: 5-0-0**

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 make 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.

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

III. 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 10/2/2021 CHIME Charter School Board Meeting
 - a. **M/S/P Motion** (P. Smith) to approve the minutes of the 10/2/2021 CHIME
 - 2. **Public comment:** There was an opportunity for public comment. None were made
 - a. **VOTE**
 - b. **Yeses:** *M. Rinnert, D. Hamilton, M. Polansky, M. Aguilar, P. Smith*
 - c. **No's:** none
 - d. **Abstentions:** *none*
 - e. **MOTION PASSES: 5-0-0**

IV. PUBLIC HEARING - Educator Effective Block Grant Plan

- 1. E. Studer Explained the Block Grant Plan
 - a) Next Month, this will become an action item and will need to be considered for approved.
 - b) There was an opportunity for questions, none were presented.

V. APPROVAL - Revision of 2021-22 CHIME Institute's Schwarzenegger Community School LCAP Plan

- 1. E. Studer explained the LCAP plan and noted that it was returned with notes. E. Studer explained the notes and the score.
 - a) He went through some key notes.
 - b) There was a discussion about the formatting of the plan

- c) There was a discussion about chronic absenteeism
- b. There was an opportunity for questions from the board.
 - a) P. Smith made a note about the raising of teaching salaries
 - (I) There was a discussion about budget and the committee involved in fixing the compensation scale.
- c. **M/S/P Motion** (J. Mark/ M. Rinnert)to approve
- 2. **Public comment:** There was an opportunity for public comment. None were made
- a. **VOTE**
- b. **Yeses:** *P. Smith, J. Mark, M. Rinnert, D. Hamilton, T. Battaglia, M. Polansky, M. Aguilar*
- c. **No's:** none
- d. **Abstentions:** *none*
- e. **MOTION PASSES: 7-0-0**

VI. BOARD REVIEW: September Financials

- a. I. Castillo presented the September Financial Packet.
 - a) There was a discussion about enrollment and how we have lost students and the effort to enroll new students.
 - b) E. Studer talked about a trend of low enrollment in West Valley Charter Schools. He talked about the steps that CHIME is taking to enroll more students.

VII. Charter School Educational Program Report

- 1. E. Studer shared the educational program report
 - a) J. Mark congratulated Erin and CHIME for its participating in the Aspire program and grant.
 - b) P. Smith brought up the idea of creating a certification program available for paraprofessionals from outside of the program.

VIII. CLOSED SESSION: Pending Legal Action

- a) No action was taken by the board.

IX. Adjournment

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