

**Minutes of the
CHIME Charter School
Board of Directors Meeting
Held via Zoom Video Conference
Tuesday February 1st, 2022**

Members Present: Patrick Smith, Tony Battaglia, Matthew Rinnert, Melissa Aguilar, Traci Myman, Dawn Hamilton, J. Mark

Members Absent: none

Others Present: Kathy Jamison, Erin Studer, Irina Castillo (EXED), Caitlin Healey

Call to Order: The meeting was called to order by Board Chair/President P. Smith

I. Affirmation of Continuing Emergency Conditions Necessitating Virtual Board Meeting

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

February 1st, 2022

TO: CHIME Charter
Board of Directors

FROM: Erin Studer
Executive Director

SUBJECT: Recommendation to approve the February and March 2022 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 February 1st and March 1st 2022 Board meetings virtually.

2. **M/S/P Motion** (P. Smith) to Make the finding that there are continuing emergency conditions necessitating a remote meeting.
3. **Public comment:** There was an opportunity for public comment. None were made
- a. **VOTE**
- b. **Yeses:** P. Smith, T. Battaglia, M. Rinnert, M. Aguilar, T. Myman, D. Hamilton
- c. **No's:** none
- d. **Abstentions:** none
- e. **MOTION PASSES: 6-0-0**

II. Public Comment: (3 minutes each)—Speakers were allowed the opportunity to make a public comment 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.

- 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 1/4/2022 CHIME Charter School Board Meeting.
 - a. **M/S/P Motion** (P. Smith) to approve the minutes of the 1/4/2022 CHIME Charter School Board meeting with Amendments
 2. **Public comment:** There was an opportunity for public comment. None were made
 - a. **VOTE**
 - b. **Yeses:** P. Smith, T. Battaglia, M. Rinnert, M. Aguilar, T. Myman, D. Hamilton, J. Mark
 - c. **No's:** none
 - d. **Abstentions:** none
 - e. **MOTION PASSES: 7-0-0**

IV. FY 20-21 Annual Audit Review and Approval

1. **E. Studer and I. Castillo** outlined the audit.
 - a) There were no major findings and the audit was on time.
 - b) There was an opportunity for discussion or comments from the board.
 - c) There was an opportunity for public comment and none were made.
- a. **M/S/P Motion** (J. Mark/ M. Aguilar) to approve the FY 20-21 Audit
2. **Public comment:** There was an opportunity for public comment. None were made
- a. **VOTE**
- b. **Yeses:** P. Smith, M. Aguilar, T Myman, D. Hamilton, T. Battaglia, J. Mark, M. Rinnert
- c. **No's:** none
- d. **Abstentions:** none
- e. **MOTION PASSES: 7-0-0**

II. Charter School Educational Program Report

The Board will be given an opportunity to review and ask questions about the report provided by the Executive Director of the Charter School, summarizing any updates and actions taken since the last meeting and any recommendations to the Board.

1. E. Studer explained the circumstances around COVID Exclusion pay. Dr. Studer requested a board directive
 - a) Should CHIME require the utilization of sick time above the 3 day mandated California law.
 - b) Should CHIME extend this to the care of a dependent during the emergency order.
 - c) P. Smith requested clarification on the policy of sick pay
 - d) J. Mark requested clarification about the amount of time people are required to be absent.
 - e) M. Rinnert made the assertion that people are going through a hard time and was in support of this. P. Smith agreed.
 - f) I. Castillo spoke on the policies of another board.
 - g) There was a discussion about different ways of affording staff sick time.
 - h) P. Smith suggested that the staff be assured that they would not need to use sick hours for COVID and possibly suggest a cap.
 - i) E. Studer recommended: That CHIME amend its policy to extend the CAL-OSHA Employee Exclusion Pay policy to any employee who contracts COVID-19 at the workplace and is excluded to isolate or is required to provide care to a child or spouse who has been excluded from their school or workplace. The school will require proof from the employee in either instance. The school reserves the right to require employees to utilize excess sick time beyond the minimums provided under California law. The Board acknowledged and with consensus affirmed the Executive Director's recommendation.
 - j) T. Myman requested information about shared hours.
 - (1) There was a discussion about this.
 - k) P. Smith suggested that this not be a motion, but a directive instead.
 - l) The board accepts Dr. Studer's recommendation
2. Dr. Studer continued his board report including:
 - a. The Board participation in our information dissemination system: parent square.
 - b. The school Choice week events.
 - a) P. Smith requested information about lottery participation.
 - b) E. Studer and K. Jamison discussed outreach programs
 - c. iReady platform for assessing student need.
 - d. P. Smith requested whether there was a possibility to request funding from the State of California given that there is a budget surplus.
 - a) There was a discussion about an "ADA Hold harmless"
 - b) I Castillo clarified the details and there was a discussion about what it would mean for CHIME.
 - e. Dr. Studer has been outlining the gaps in minimum funding for per pupil student spending to legislators.

a) D. Hamilton suggested a contact.

III. Fiscal Report

1. I Castillo Presented the December Financials.

a) Enrollment and attendance

(1) E. Studer noted that about 170 IS contracts were generated recently

b) Unduplicated Pupil Count

(1) There was a discussion about the number that would be required to make CHIME title I school

c) Salaries

d) Cash

e) Salary increases

(1) There was a discussion about salary increases

f) Retirement plan

g) There was an opportunity for questions from the board

IV. Adjournment

a. **M/S/P** Motion (P. Smith/) to adjourn the 2/1/2022 meeting of the CHIME Charter School board of directors meeting

2. **Public comment:** There was an opportunity for public comment. None were made

a. VOTE

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

c. **No's:** none

d. **Abstentions:** none

e. MOTION PASSES: 7-0-0