

**Minutes of the
CHIME Charter School
Board of Directors Meeting
Held via Zoom Video Conference
Tuesday June 7th, 2022**

Members Present: Patrick Smith, Josh Mark, Dawn Hamilton, Matt Rinnert, Melissa Aguilar, Traci Myman

Members Absent: Tony Battaglia, Marc Polanskye

Others Present: Erin Studer, Irina Castillo, Adie Buchinsky, Alisha Crowe, AnnMarie Nagel, Annie Cox, Caitlin Healey, Will Caplenor, Krysta Masciale

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.

June 7th, 2022

TO: CHIME Charter
Board of Directors

FROM: Erin Studer
Executive Director

**SUBJECT: Recommendation to approve the June and July 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 June 7th and June 28th 2022 Board meetings virtually.

2. **M/S/P Motion** (P. Smith) to Make the finding that there are continuing emergency conditions necessitating remote meetings for June 7th and 28th 2022
3. **Public comment:** There was an opportunity for public comment. None were made
- a. VOTE*
- b. Yeses:* P. Smith, J. Mark, D. Hamilton, M. Rinnert, M. Aguilar, T. Myman
- 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.

1. **There was an opportunity to make public comment and none were 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 5/3/2022 CHIME Charter School Board Meeting.
- a. M/S/P Motion* (M. Aguilar, D. Hamilton) to approve the minutes of the 3/8/2022 CHIME Charter School Board meeting
2. **Public comment:** There was an opportunity for public comment. None were made
- a. VOTE*
- b. Yeses:* P. Smith, D. Hamilton, M. Rinnert, M. Aguilar
- c. No's:* none
- d. Abstentions:* J. Mark, T. Myman
- e. MOTION PASSES: 4-0-2*

IV. FY22-23 April Financials

1. I. Castillo presented the April Financials
 - a)* There was a discussion about the "hold harmless provision"
 - b)* Erin clarified an issue related to funding that was unable to be used due to COVID.
 - c)* There was a discussion about payments to a pension plan

V. FY22-23 Budget

1. I Castillo presented the budget
 - a)* There was a discussion about TK students
 - b)* P. Smith requested a committee meeting to review the budget.

VI. Approval of the Notice of Terms Supplement

1. E. Studer shared the Notice of Terms Supplement and explained its purpose. I Castillo went into detail about the additional fees that EXED may charge.
 - a)* There was a discussion about some of the details of the terms.

- b) P. Smith clarified the timeline and any further rate increases that might be expected.
- 2. Approval of the EXED Terms Supplement as presented by I. Castillo
- a. **M/S/P** Motion (J. Mark/M. Rinnert) to approve the EXED Terms Supplement
- 3. **Public comment:** There was an opportunity for public comment. None were made
- a. **VOTE**
- b. *Yeses:* P. Smith, J. Mark, D. Hamilton, T. Myman, M. Rinnert, M. Aguilar
- c. *No's:* none
- d. *Abstentions:*
- e. **MOTION PASSES: 6-0-0**

VII. Presentation form CHIME Compensation Committee

- 1. Ann Marie Nagel, and Alisha Crowe represented the Compensation committee and spoke about the compensation committee's presentation.
- a. The presenters discussed the current pay scale in comparison to other schools. J. Mark requested clarification.
- b. There was a discussion about the costs that are associated with start-up charters vs conversion charters and specifics about one charter specifically.
- c. P. Smith requested that there be a recommendation in the future towards retirement and benefits. There was a discussion about the current retirement plan.
- d. There was a discussion about TK enrollment.
- e. There was a discussion about beginning of the year student loss and the general enrollment plan.
- f. D. Hamilton shared her appreciation for CHIME teachers. And asked a question about accessibility in a classroom with more students and the board and committee representatives discussed different strategies.
- g. M. Rinnert cautioned the committee about not losing an important factor of the school
 - a) There was a discussion about the perception of teachers on staff.
- h. E. Studer discussed the origin of the previous target of 22 students per class
- i. J. Mark requested a comparison from the current pay scale to the proposed.
- j. A. Cox requested whether the charter needed to be adjusted.
- k. J. Mark made a comment about enrollment dropping. There was a discussion about how this would affect budgets.
- l. There was a discussion about the approval process for this budget.
- m. **M/S/P** Based on the Current Budget Proposal for CHIME for FY 2022-23 and the current status of the status state education, budget, (Motion by P Smith/D Hamilton) to affirm the Compensation Committee recommendation with regard to increasing teacher's salary as presented in the Proposed Salary Scale and that the Board will work to incorporate it into the upcoming budget.
- 2. **Public comment:** There was an opportunity for public comment. None were made
- a. **VOTE**

- b. *Yeses: P. Smith, J. Mark, D. Hamilton, T. Myman, M. Rinnert, M. Aguilar*
- c. *No's: none*
- d. *Abstentions:*
- e. **MOTION PASSES: 6-0-0**
 - a) J. Mark requested whether the other staff will be scheduled to receive a rate increase.
 - b) E. Studer explained variances in wage increases of other staff.

VIII. Presentations from CHIME Community Committee

- 1. A. Buchinsky spoke to the Community Committee and how they looked at the other LCAP Goals and presented.
 - a) J. Mark requested the next steps for the process. There was a discussion.

IX. LCAP Public Presentation

- 1. E. Studer presented the Local Control Funding Formula plan.

X. Approval of vendor contract for Paycom, payroll and HR Services

- 1. E. Studer presented and explained the reason for using Paycom.
 - a. There was a discussion about how this system is different.
- 2. E. Studer broke down the different components of the system.
- 3. Approval of the EXED Terms Supplement as presented by I. Castillo
 - a. **M/S/P Motion** (P. Smith/J. Mark) to approve vendor contract for Paycom Payroll and HR Services
- 4. **Public comment:** There was an opportunity for public comment. None were made
- a. **VOTE**
- b. *Yeses: P. Smith, J. Mark, D. Hamilton, T. Myman, M. Rinnert, M. Aguilar*
- c. *No's: none*
- d. *Abstentions:*
- e. **MOTION PASSES: 6-0-0**

XI. Approval of Annual Fund Donation Transfer to Charter School

- a. E. Studer explained why this is necessary.
 - a) J. Mark asked for clarification.
- b. **M/S/P Motion** (M. Aguilar. D. Hamilton) to approval of 55,000 of Annual Fund dollars to the Charter School.
- 2. **Public comment:** There was an opportunity for public comment. None were made
- a. **VOTE**
- b. *Yeses: P. Smith, J. Mark, D. Hamilton, T. Myman, M. Rinnert, M. Aguilar*
- c. *No's: none*
- d. *Abstentions:*
- e. **MOTION PASSES: 6-0-0**
- f.

XII. Charter School Educational Report.

- 1. E. Studer presented his report and reminded board members that they are invited to the 5th and 8th grade graduations.

XIII. Closed Session: The board will discuss a legal matter the board had a discussion and no action

was taken and a personnel issue. The board had a discussion in compensation to both of its directors but the board has other questions and doesn't have sufficient information but is not ready to make a decision and will make a determination as to the appropriateness of both of those salaries.

1. There was a discussion about the process by which Dr. Studer's salary must be announced.

Adjournment

- b. **M/S/P** Motion (P. Smith/D. Hamilton) to adjourn the 6/7/2022 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, J. Mark, D. Hamilton, T. Myman, M. Rinnert, M. Aguilar*
- c. **No's:** none
- d. **Abstentions:** *none*
- e. **MOTION PASSES:** *6-0-0*