

**Minutes of the  
CHIME Charter School  
Board of Directors Meeting  
Held via Zoom Video Conference  
Tuesday April 5th, 2022**

**Members Present:** Patrick Smith, Dawn Hamilton, Marc Polansky, Melissa Aguilar, Tony Battaglia, Traci Myman

**Members Absent:** Josh Mark

**Others Present:** William Caplenor, Annie Cox, Erin Studer, Caitlin Healey, Kathy Jamison, Shelbi Doherty

**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.

April 5th, 2022

**TO:** CHIME Charter  
Board of Directors

**FROM:** Erin Studer  
Executive Director

**SUBJECT: Recommendation to approve the April and May 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 April 5<sup>th</sup> and May 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 for April 5<sup>th</sup> and May 2022
3. **Public comment:** There was an opportunity for public comment. None were made
  - a. **VOTE**
  - b. **Yeses:** P. Smith, M. Polansky, D. Hamilton, T. Battaglia, T. Myman, M. Aguilar
  - 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 3/8/2022 CHIME Charter School Board Meeting.
  - a. **M/S/P Motion** (Marc/Melissa) 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, M. Polansky, M. Aguilar, T. Battaglia, T. Myman
    - c. **No's:** none
    - d. **Abstentions:** D. Hamilton
    - e. **MOTION PASSES: 5-0-1**

**I. Student Achievement iReady Data Presentation - Caitlin Healey**

1. E. Studer explained the iReady program and why it is required that we use a program like it.
2. C. Healey shared a presentation about the iReady program
  - a. There was a discussion about the students that were not assessed.
  - b. There was a discussion about how the data will help the school.
  - c. P. Smith asked questions about the reports and the portals.
  - d. E. Studer noted how this is affected by LCAP plan.

**II. Brown Act Annual Training**

1. E. Studer presented the Brown Act training to the board.
  - a) P. Smith noted that the discussion about the mission that happened earlier in the Institute meeting was more of an ad-hoc committee

discussion.

- b) E. Studer noted that CHIME is required to having one-click access to the meeting agenda.

- b. There was a call for questions or comments.

### III. February Financials

1. I. Castillo presented the February Financials
- a. E. Studer noted that during the Omicron surge caused us to call in substitute teachers every single day.
- b. There was a discussion as to whether CHIME would get a hold harmless provision.
- c. There was a discussion about the next budget.
  - a) E. Studer discussed how the salary scale and hourly rate has changed.
- d. There was a discussion about the lottery for next year's enrollment.
- e. There was a discussion about what "hold harmless" means.

### IV. Charter School Educational Report

1. E. Studer presented his educational report.
2. There was a discussion about COVID positivity rates, which have stayed below one percent since going "mask-optional"
- a. There was a discussion about mask policies and positivity rates in general.
3. P. Smith requested whether there was an update about the Director of Development Ad-Hoc Committee.
4. M. Polansky has a contact that has recently completed a special education credential.
5. P. Smith and E. Studer updated the Board as to Caitlin Healey's new position as the Elementary Principal and the Assistant Principal interviews.

### I. Adjournment

- a. **M/S/P Motion** (P. Smith/) to adjourn the 4/5/2022 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, M. Polansky, D. Hamilton, M. Rinnert, Battaglia, T. Myman
- c. **No's:** none
- d. **Abstentions:** none
- e. **MOTION PASSES: 6-0-0**