NEW LOS ANGELES CHARTER SCHOOLS

GOVERNING BOARD SPECIAL MEETING ORDER OF BUSINESS
Teleconference Meeting
8:00 am, August 30, 2020

This meeting will be by teleconference pursuant to Executive Orders N-25-20 and N-29-20. The Board of Directors ("Board") and employees of New Los Angeles Charter Schools shall meet via the Zoom meeting platform. Members of the public who wish to access this Board meeting may do so by calling a conference telephone line:

Phone Number: 1-669-900-6833

Access Code: 84612545677#

Members of the public may not comment on non-agenda items during this special meeting. Individuals wishing to provide public comment on the agenda items must send their comments in writing to Board@newlosangeles.org prior to the meeting or prior to the discussion of the Agenda item during the meeting – comments received after that point in the meeting will not become part of the record. Comments submitted by email will be read aloud during the Board meeting for up to three (3) minutes. If comments are in Spanish or another language, they will be translated to English and such comments will be limited to six (6) minutes. The Board may limit the total time for public comment to a reasonable time. The Board reserves the right to mute or remove a participant from the meeting if the participant unreasonably disrupts the Board meeting.

Access to Board Materials: A copy of the written materials which will be submitted to the School Board may be reviewed by any interested persons on New Los Angeles Charter School's website along with this agenda following the posting of the agenda at least 24 hours in advance of this meeting.

Disability Access: Requests for disability-related modifications or accommodations to participate in this public meeting should be made 24 hours prior to the meeting by emailing Dr. Xochitl Lira, Director of Operations at xlira@newlosangeles.org. All efforts will be made for reasonable accommodations. The agenda and public documents can be modified upon request as required by Section 202 of the Americans with Disabilities Act.

Agenda

1. Call to Order

2. Public Comment

3. Closed Session
   Recess to Closed Session for Discussion and/or Action on the following items in accordance with the Brown Act, Government Code Section 54950 et esq., and the Education Code and pursuant to Government Code Section 54954.5. The closed session will be held pursuant to Section 54956.7 as follows:

   ANTICIPATED LITIGATION
   Significant exposure to litigation pursuant to Gov. Code 54956.9(d)(2)
   Two Items

4. Consideration of Approval of Resolution Concerning Measures to Address Ongoing Impacts of COVID-19 During School Reopening

5. Consideration of Approval of Resolution Authorizing Submission of Charter Renewal Petition to Los Angeles Unified School District Board of Education

6. Adjourn

New Los Angeles Charter School Board of Directors

Resolution #0200

CONCERNING MEASURES TO ADDRESS ONGOING IMPACTS OF COVID-19 DURING SCHOOL RE-OPENING

WHEREAS, New Los Angeles Charter School, a California nonprofit public benefit corporation ("New LA") operates New Los Angeles Charter Elementary School and New Los Angeles Charter School (the "Charter Schools") in California; and

WHEREAS, the safety and well-being of all students, employees, parents and stakeholders of the Charter Schools are paramount; and

WHEREAS, equitable access to educational programs is essential for the student population that our Charter Schools serve; and

WHEREAS, on March 4, 2020 the Governor of the State of California declared a statewide emergency relating to the COVID-19 pandemic; and

WHEREAS, the Governor has directed state agencies to provide updated and specific guidance to schools; and

WHEREAS, the Governor has issued Executive Orders pertaining to school closures and other COVID-19 mitigation issues; and

WHEREAS, New LA has been monitoring advice provided by local, state, and federal authorities including, but not limited to, the California Department of Education ("CDE"), Los Angeles County Office of Education, Centers for Disease Control, Governor's Office, California Department of Public Health, and Los Angeles County Department of Public Health ("Relevant Authorities"); and

WHEREAS, guidance and directives from Relevant Authorities continues to rapidly evolve in response to new scientific knowledge, as well as changes to local infection rates in the communities served by the Charter Schools; and

WHEREAS, time will often be of the essence in responding to new guidance and directives issued by Relevant Authorities in order to protect the health of our students, employees and campus visitors; and

WHEREAS, the New LA Board previously authorized the closure of all of the Charter Schools in response to the pandemic and distance learning was provided to students through the end of the 2019-20 academic year; and

WHEREAS, the State of California has now issued guidance allowing public schools to re-open with certain significant modifications and subject to local conditions that will likely require schools to open initially without any instruction occurring at schoolsites; and

WHEREAS, the CDE issued guidance pertaining to school re-openings on June 8, 2020 and the CDPH issued its most updated re-opening guidance and protocols on August 3, 2020; and

WHEREAS, on August 3, 2020, the Los Angeles County Office of Education issued revised guidance to Los Angeles County educational institutions to facilitate and return to site-based classroom instruction for the Fall 2020-21 school year relating to many aspects of school operations; and

WHEREAS, the Los Angeles County Public Health Officer has ongoing authority to take steps as necessary to protect the health of Los Angeles County students and the general public and we do not know at this time whether the Charter School campus will be allowed to re-open, re-open with modifications, or not re-open at all; and

WHEREAS, New LA must begin taking steps to plan for re-opening in order to be able to re-open safely and smoothly in the event re-opening is permitted; and

WHEREAS, the New LA Board anticipates that guidance from federal, state, and local officials will continue to change in response to the rapidly evolving pandemic and this necessitates a broad delegation of authority to the Charter Schools' leadership team to respond in real time both to the pandemic and issues caused by the pandemic; and

WHEREAS, the pandemic has also caused substantial economic disruption to the State of California that will impact the Charter Schools' public funding in significant but as yet unknown ways that necessitate the Board delegating more authority to the Executive Director to manage the budgets of the Charter Schools in the context of reduced and/or delayed state funding; and

WHEREAS, there are numerous legal and organizational impacts to decisions made in response to the COVID-19 virus and strict adherence to provisions in existing school policies and/or procedures of the Charter School might prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of COVID-19; and

WHEREAS, the prior COVID-19 Resolution adopted by the New LA Board in March 2020 relating to the pandemic did not specifically address issues that might arise for the 2020-21 academic year and beyond and the Board now wishes this Resolution to supersede the prior Resolution;

NOW THEREFORE BE IT RESOLVED THAT the Board of Directors of New LA directs the following:

1. The Executive Director is authorized to develop and implement a plan for re-opening the Charter Schools ("Plan") in Fall 2020 in accordance with guidance and/or directives from the chartering authority, and local, state or federal government officials, including, but not limited to, Relevant Authorities.

2. The Plan shall include, but is not limited to: (a) any changes necessary to comply with public health guidance and directives from Relevant Authorities (e.g., physical distancing requirements, cleaning requirements, screening requirements, hygiene training, protective equipment, quarantine area(s), transportation plans and vehicle infection control, Cal/OSHA requirements, lunch and recess period procedures, nutrition service changes, addressing needs

of students and employees with underlying health conditions, etc.); and (b) changes to each school's educational program (e.g., changes necessary to support physical distancing, instructional schedule, assessment of student needs and progress, interventions, social-emotional learning, technology needs, meeting the needs of special education students and English Learners, distance learning options, etc.) including the before-and-after school programs, the day care programs, the professional development and training of employees, and the engagement and communication with stakeholders relating to the Plan. Communications relating to the pandemic and the Plan will be translated into languages spoken by families at home to the extent practicable.

3. The Executive Director or designee shall review and update the Emergency Preparedness Plan, School Safety Plan, Continuity of Operations Plan and Pandemic Plan of the Charter Schools as necessary to comply with guidance and directives from Relevant Authorities and other government agencies.

4. In consultation with the Board Chair, the Executive Director shall have the authority to close the Charter Schools during some or all of the 2020-21 academic year should the chartering authority, or local, state, or federal government officials, including, but not limited to Relevant Authorities, direct or recommend the closure as a result of a resurgence of COVID-19 or some other health emergency.

5. In consultation with the Board Chair, the Executive Director or designee shall have the additional authority to direct the closure of one or more of the Charter Schools' classrooms or facilities for additional periods not covered in Paragraph 4 based on the Executive Director's determination that it is necessary to protect student and/or employee health and safety as a result of a resurgence of COVID-19 or some other health emergency.

6. In order to immediately protect the health and safety of students and/or employees, in consultation with the Board Chair, the Executive Director may waive any school or organization-wide policy or procedure to implement directives and/or guidance from Relevant Authorities.

7. The Executive Director shall have the authority to exclude anyone from campuses of the Charter Schools other than students and employees, including parents and volunteers, in order to minimize risk of COVID-19 exposure from the surrounding community.

8. In order to immediately protect the health and safety of students and employees, the Executive Director or designee may exclude students or employees from school or school activities as necessary to implement guidance or directives from Relevant Authorities or applicable law.

9. In consultation with the Board Chair, the Executive Director or designee may hire additional employees or independent contractors as necessary or convenient for purposes of performing tasks recommended by Relevant Authorities or that the Executive Director deems necessary in his discretion, after consulting with the Board Chair, to mitigate the actual or potential impacts of COVID-19.

10. As necessary, the Executive Director, in consultation with the Board Chair and Charter Schools' legal counsel, is directed to negotiate any necessary changes to or cancelations of other nonemployment contracts in order to mitigate losses that the Charter Schools would otherwise incur, or to provide different levels and types of services needed, as a result of actual or potential impacts of COVID-19.

11. In consultation with the Board Chair, the Executive Director or designee shall consult the Charter Schools' legal counsel regarding collective bargaining agreement provisions impacted by any actions taken pursuant to this Resolution.

12. The Executive Director or designee may direct that some or all parent meetings, conferences, discussions, or other required parent interactions be held telephonically or by video conference in order to minimize potential exposure of students and employees by parents or other community members.

13. As necessary, the Executive Director, in consultation with the Board Chair and Charter Schools' legal counsel, is directed to negotiate and implement revisions to employment agreements for unrepresented employees relating to impacts on the terms and conditions of employment caused by the actual or potential impacts of COVID-19.

14. In consultation with the Board Chair, the Executive Director is authorized to implement layoffs, furloughs, salary freezes, and salary reductions to the extent permitted under any applicable employment contracts, and state law in order to effectuate the provisions of this Resolution and to maintain fiscal solvency notwithstanding cuts and deferrals of funding from the State of California.

15. In consultation with the Board Chair, the Executive Director, in consultation with the Charter Schools' granting agency, if required, may implement revisions to the academic calendar for the 2020-21 academic year, if necessary.

16. The Executive Director shall prepare and file all necessary requests and supporting documentation to preserve full apportionment funding.

17. The Executive Director may continue to approve use of distance learning programs designed to serve students who otherwise might be unserved. This shall be done in accordance with applicable state legal requirements.

18. The Executive Director or designee may restrict or cancel the use of school facilities by off-campus groups and may restrict or cancel extra-curricular activities, field trips, sports, or other school activities sponsored by student or parent groups.

19. In consultation with the Board Chair, the Executive Director shall have the authority to reduce expenditures in any budget category and re-allocate these funds to cover costs associated with re-opening and operating the Charter Schools in accordance with guidance and directives of Relevant Authorities and the Plan.

20. In consultation with the Board Chair, the Executive Director shall have the authority to exceed the limit that would ordinarily trigger the requirement to also obtain approval of the Board of Directors under Board fiscal policies in order to pay for expenses related to the implementation of guidance and directives from Relevant Authorities and other government agencies relating to the re-opening or operation of the Charter Schools and to implement the Plan. However, the cumulative total of such expenses shall not reduce the unrestricted reserves of each Charter School to lower than three percent (3%) without prior approval of the Board of Directors. Additionally, all such expenditures shall be reported to the Board and ratified at the Board's next regularly scheduled meeting. The Executive Director and Board Chair shall be mindful of New LA's current fiscal condition in authorizing such expenditures.

21. In consultation with the Board Chair, the Executive Director is authorized to enter into contracts for loans, revenue anticipation notes, and receivable sales to provide cash flow financing to the Charter Schools that is necessary to cover deferrals in state apportionment payments to the Charter Schools. The Executive Director shall provide advance notice to the Board of such financing transactions whenever possible and will consult with the New LA Board Chair regarding all such financing transactions.

22. In consultation with the Board Chair, the Executive Director is authorized to seek material revisions to the charters of the Charter Schools, as necessary, to implement the Plan to reopen schools, other changes that may be necessary to ensure the fiscal stability of the Charter Schools, or to maintain the educational excellence of the Charter Schools' programs during the pandemic.

23. In consultation with the Board Chair, the Executive Director shall have the authority to commence, defend, and settle litigation on behalf of either or both of the Charter Schools that relates to or arises out of the pandemic. This authority shall include, but not be limited to claims and lawsuits relating to employees, students, parents, and volunteers who bring claims due to illness or that arise as a result of the Charter Schools implementing the Plan or guidance and directives of Relevant Authorities or other government agencies. The Executive Director shall notify the Board of Directors of any lawsuit or claim brought or threatened against either or both of the Charter Schools within ten (10) days.

24. The Executive Director is authorized to seek and accept donations from private sources and to apply for and accept funding from public sources including, but not limited to disaster relief funds, to cover the costs of implementing the Plan and/or following the guidance and directives of Relevant Authorities.

25. The Executive Director shall consult with the Charter Schools' insurer and/or legal counsel for any advice as to how to deal with virus-related issues.

26. The Executive Director is directed to inform families about the Plan and updates to information and directives being received from Relevant Authorities relating to the pandemic as determined in the Executive Director's reasonable judgment.

27. The Executive Director shall keep the Charter Schools' Board informed of his implementation of the provisions of this Resolution. In addition, the Executive Director shall keep the Charter Schools' parents updated on development and implementation of the Plan.

28. In anticipation that the pandemic may continue past the 2020-21 academic year, this Resolution shall remain in effect through June 30, 2022 unless modified or terminated prior to that time by action of the New LA Board of Directors.

PASSED AND ADOPTED by the Board of Directors of New Los Angeles Charter School on this ___ day of _____, 2020.

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Secretary
New Los Angeles Charter School

NEW LOS ANGELES CHARTER SCHOOL
BOARD OF DIRECTORS
BOARD RESOLUTION #0201

RESOLUTION AUTHORIZING SUBMISSION OF CHARTER RENEWAL PETITION TO LOS ANGELES UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

WHEREAS, New Los Angeles Charter School is a California nonprofit public benefit corporation that operates New Los Angeles Charter Elementary School ("NLACES"), a California public charter school; and

WHEREAS, the Board of Directors ("Board") of New Los Angeles Charter School finds it in the best interest of New Los Angeles Charter School to submit a charter renewal petition application ("Renewal") of the NLACES charter as authorized by the Los Angeles Unified School District ("LAUSD") and provided for in Education Code Sections 47605, 47607 and 47607.2.

NOW THEREFORE, BE IT RESOLVED that the Board authorizes the submission of the NLACES Renewal to the LAUSD Board of Education for a renewal term of July 1, 2021 to June 30, 2026; and

BE IT FURTHER RESOLVED that the Board authorizes the following individuals to take all steps necessary pursuant to their roles to seek the approval of the Renewal:

- Brooke Rios, Executive Director, will serve as "Lead Petitioner" and is hereby authorized to sign the Renewal, make any additional changes or revisions to the Renewal as may be necessary to comply with applicable legal requirements and/or District policies and procedures, and to take all steps necessary for approval of same

- Jenna Rosenberg will serve as "Principal"

- Xochitl Lira will serve as "Onsite Financial Manager."

Resolved on Sunday, August 30, 2020 by the following vote:

Aye:
Nay:
Abstention:

CERTIFICATE OF SECRETARY

I certify that I am the duly elected Secretary for the Board of Directors of New Los Angeles Charter School, a California nonprofit public benefit corporation. I hereby certify that the foregoing is a true and correct copy of a resolution duly and legally adopted by the Board of Directors on August 30, 2020, and that this Resolution has not been revoked.

Executed on _____, 2020 at _____, California.

_____
Steve Barrett
Board Secretary