



Agenda Item:	III A: Action Item
Date:	February 9, 2023
To:	Magnolia Educational & Research Foundation dba Magnolia Public Schools (“MPS”) Board of Directors (the “Board”)
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead(s):	Alfredo Rubalcava, CEO & Superintendent
RE:	Approval of Findings to Conduct Virtual Meetings Pursuant to AB361/ Government Code Section 54953

Action Proposed:

I move for the Magnolia Public Schools Board of Directors to adopt the findings relating to the ability of the MPS Board and all MPS Committees to conduct meetings through teleconference during the State of Emergency, in reference to AB 361/Government Code Section 54953.

Purpose:

In September 16, 2021, Governor Newsom signed executive order Assembly Bill (AB) 361 into law which gives local agencies, included local educational agencies (LEA) governing boards, flexibility in conducting public meetings virtually during a declared state of emergency. **The COVID-19 State of Emergency will end on February 28, 2023. Therefore, the provisions of AB 361 will no longer be permissible after that.**

Analysis:

In order for Magnolia Public Schools (MPS) Board Meetings to trigger the AB 361 teleconferencing provisions, any of the following circumstances must follow:

- 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;
- 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;
- 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.

Following the end of the COVID-19 State of Emergency and the provisions granted by AB 361, we will resume in-person Board & Committee Meetings starting in March 2023. Following the provisions under the Brown Act and SB 126 provisions.



Exhibits:

- Board Findings pursuant of Government Code 54953(e)(3)



EACH THIRTY DAYS THEREAFTER FOR BOARD OF DIRECTORS & COMMITTEES

Magnolia Public Schools

Magnolia Public Schools findings pursuant to Government Code Section 54953(e)(3)

The Magnolia Public Schools Board of Directors has reconsidered the circumstances of the State of Emergency declared by the Governor on March 4, 2020, and finds the State of Emergency continues to directly impact the ability of the Directors to meet safely in person and/or that State or local officials continue to impose or recommend measures to promote social distancing.

DATE: February 9, 2023

VOTE

AYE:

NOES:

ABSENT:

BOARD SECRETARY: _____