



Board Resolution #2021-10

RESOLUTION OF THE BOARD OF DIRECTORS OF YPI CHARTER SCHOOLS FOR TELECONFERENCE BOARD MEETING PURSUANT TO SPECIAL RULES IN GOVERNMENT CODE SECTION 54953(e).

WHEREAS, pursuant to Assembly Bill 361, effective October 1, 2021, the Board of Directors of YPI Charter Schools (“YPICS”) may hold wholly virtual, teleconference Board meetings by complying with the special rules under Government Code section 54953(e) in any of the following circumstances:

- (A) there is a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
- (B) there is a proclaimed state of emergency and the board meets 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.
- (C) There is a proclaimed state of emergency and the board 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.

WHEREAS, the State of California has been in an active state of emergency due to the COVID-19 pandemic since the Governor’s Proclamation of a State of Emergency issued on March 4, 2020, which remains in place;

WHEREAS, YPICS operates charter schools in the County of Los Angeles, and the Los Angeles County Department of Public Health Reopening Protocols for TK-12 Schools continue to recommend that measures be implemented to create physical distancing;

WHEREAS, the California Department of Public Health and Center for Disease Control have each cautioned that the Delta variant of COVID-19 is more transmissible than prior variants of the virus, that it may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others, resulting in rapid and alarming rates of COVID-19 cases and hospitalizations;

WHEREAS, as of November 26, 2021, the California Department of Public Health and Center for Disease Control are now monitoring for a new variant, the Omicron variant of COVID-19, which has many mutations in important areas of the virus that impact infectiousness and the ability for immune systems to protect from infection

WHEREAS, Fenton has an important interest in protecting the health and safety of those who participate in its public meetings, including students, parents, staff, and other stakeholders;

WHEREAS, Fenton’s public meetings have characteristics that give rise to imminent risks to health and safety of meeting participants, such as the fact that YPICS’ meeting facilities are indoors, board meetings bring together stakeholders from across multiple communities, the potential presence of unvaccinated individuals attending meetings, the need to enable those who are immunocompromised or unvaccinated to be able to safely continue to participate fully in its public meetings, and the challenges with fully ascertaining and ensuring compliance with safety recommendations at such meetings; and

WHEREAS, now, in the interests of public health and safety, and informed by actions of state and local officials, this Board of Directors hereby makes the necessary findings to invoke Assembly Bill 361 to hold meetings by teleconference.

NOW, THEREFORE, this Board of Directors of YPICS does hereby find, resolve, and order as follows:

Section 1. The foregoing recitals are incorporated herein.

Section 2. It is appropriate and necessary for the Board and each Board committee of Fenton that is subject to the Brown Act to meet by teleconference under the special rules in Government Code section 54953(e) due to the following:

(a) The State of California is currently in a declared state of emergency due to the COVID-19 pandemic, and the Board of Directors has reconsidered the circumstances of the state of emergency;

(b) State or local officials continue to impose or recommend measures to promote social distancing; and

(c) As a result of the ongoing state of emergency due to the COVID-19 pandemic, meeting in person would present imminent risks to the health or safety of attendees.[A1]

Section 3. The Executive Director or designee, acting alone or together, is(are) hereby authorized and directed to take or a cause to be taken all such other actions as may be required to fulfill the purposes of the foregoing resolutions.

PASSED, APPROVED AND ADOPTED this 6th day of December 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Date: 12/6/2021

Mary Keipp, Chairman of the Board

Sandra Mendoza, Secretary of the Board