

**BOARD OF DIRECTORS  
EL CAMINO REAL ALLIANCE**

**RESOLUTION  
RE: MEASURES TO ADDRESS ONGOING IMPACTS  
OF COVID-19 DURING SCHOOL RE-OPENING**

The Board of Directors (the “Board”) of El Camino Real Alliance (“ECRA”), a nonprofit public benefit corporation, does hereby adopt the following resolution.

WHEREAS, El Camino Real Alliance (“ECRA”) manages, operates and directs the operations of El Camino Real Charter High School (the “Charter School”); and

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

WHEREAS, equitable access to educational programs is essential for the student population that our Charter School serves; 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, ECRA 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 School; 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 ECRA Board previously authorized the closure of the Charter School 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 in time for the fall semester with certain significant modifications and subject to local conditions; and

WHEREAS, the CDE issued guidance pertaining to school re-openings on June 8, 2020;  
and

WHEREAS, the Los Angeles County Office of Education has issued guidance in the form of a planning framework for the 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 will be allowed to re-open, re-open with modifications, or not re-open at all; and

WHEREAS, ECRA 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 ECRA 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 School's 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 School's public funding in significant but as yet unknown ways that necessitate the Board delegating more authority to the Executive Director to manage the budget of the Charter School 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 Resolution adopted by the ECRA Board on March 13, 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 ECRA directs the following:

1. The Executive Director is authorized to develop and implement a plan for re-opening school ("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 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 shall review and update the Comprehensive School Safety Plan and the COVID-19 Recovery Reopening Guidance of the Charter School as necessary to comply with guidance and directives from Relevant Authorities and other government agencies.

4. The Executive Director shall have the authority to close the Charter School 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. The Executive Director shall have the additional authority to direct the closure of the Charter School or 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, 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 school campus 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 the school or school activities as necessary to implement guidance or directives from Relevant Authorities or applicable law.

9. 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 to mitigate the actual or potential impacts of COVID-19.

10. As necessary, the Executive Director, in consultation with Charter School's legal counsel, is directed to negotiate any necessary changes to or cancellations of other nonemployment contracts in order to mitigate losses that the Charter School 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. The Executive Director or designee shall consult the Charter School's 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 in order to minimize potential exposure of students and employees by parents or other community members.

13. As required by law, the Executive Director, in consultation with Charter School's legal counsel, is directed to negotiate agreements or side letters with collective bargaining units, relating to actual or potential impacts of COVID-19 on the terms and conditions of employment.

14. As necessary, the Executive Director, in consultation with Charter School's 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.

15. The Executive Director is authorized to implement layoffs, furloughs, salary freezes, and salary reductions to the extent permitted under any applicable collective bargaining agreements, 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.

16. The Executive Director, in consultation with Charter School's granting agency, if required, may implement revisions to the academic calendar for the 2020-21 academic year, if necessary.

17. The Executive Director and/or Chief Business Officer shall prepare and file all necessary requests and supporting documentation to preserve full apportionment funding.

18. The Executive Director may continue to approve use of virtual, independent study or other distance learning programs designed to serve students who otherwise might be unserved.

19. 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.

20. 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 School in accordance with guidance and directives of Relevant Authorities and the Plan.

21. The Executive Director, after consulting the Board Chair, shall have the authority to exceed the \$50,000 limit that would ordinarily trigger the requirement to also obtain approval of the Board of Directors under ECRA's 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 School and to implement the Plan. However, the cumulative total of such expenses shall not reduce ECRA's unrestricted reserves 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 the Charter School's current fiscal condition in authorizing such expenditures.

22. 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 School that is necessary to cover deferrals in state apportionment payments to the Charter School. The Executive Director shall provide advance notice to the Board of such financing transactions whenever possible and will consult with the ECRA Board Chair regarding all such financing transactions.

23. The Executive Director is authorized to seek material revisions to the Charter School's charter, as necessary, to implement the Plan to reopen the school, other changes that may be necessary to ensure the fiscal stability of ECRA, or to maintain the educational excellence of the Charter School's programs during the pandemic.

24. The Executive Director shall have the authority to commence, defend, and settle litigation on behalf of ECRA 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 implementation of 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 against ECRA within thirty (30) days.

25. 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.

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

27. 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.

28. The Executive Director shall keep the Board informed of the implementation of the provisions of this Resolution. In addition, the Executive Director shall keep the Charter School's parents/guardians updated on development and implementation of the Plan.

29. This Resolution shall remain in effect through June 30, 2021, unless modified or terminated prior to that time by action of the ECRA Board of Directors.

PASSED AND ADOPTED by the Board of Directors of El Camino Real Alliance on this \_\_\_\_\_ day of July, 2020.

AYES:

NAYS:

ABSTAIN:

ABSENT:

By: \_\_\_\_\_  
Beatriz Chen, Secretary