APPROVED

El Camino Real Charter High School

Minutes

Regular Board Meeting

Date and Time
Thursday April 22, 2021 at 4:30 PM

Location
VIRTUAL BOARD MEETING - Please see below.

REGULAR BOARD MEETING

For board meeting materials, please go to the school's main office, or call (818) 595-7500. Some board meeting materials are also posted on the school's website (https://ecrchs.net - click the ECR Board tab).

VIRTUAL BOARD MEETING

In accordance with Governor Newsom's Executive Order N-29-20, the meeting of the Board of Directors will take place via a virtual/teleconferencing environment.

To join the virtual Board meeting, please register through GoToWebinar at https://attendee.gotowebinar.com/register/8092607205219169805, webinar ID 843-533-827. You must register for the event (note you do not need to enter your legal name to participate). Once registered, you can attend the meeting through the online link, or by telephone (a call-in number and audio PIN will be provided after you register and prior to the meeting).

PUBLIC COMMENTS

If you would like to make a comment during the Public Comment section or during an agenda item, you may do so in two ways: (1) click the "Raise Hand" icon on the control panel; or (2)

email your comment to ***comment@ecrchs.net*** and it will be read on the record. **Please note**: your name will be read on the record along with your comment; if you do not wish to have your name read, please indicate on your email.

Please note that, in order to conduct an orderly meeting, all members of the public will be placed on mute during the Board meeting, except during public comments. Note that for those who elect to participate through the call-in number, you will not have the option of being unmuted during the meeting.

The Public Comments agenda item is set aside for members of the audience to raise issues that are not specifically on the agenda. However, due to public meeting laws, the Board can only listen to your issue, not respond or take action. The Board may give direction to staff to respond to your concern or you may be offered the option of returning with a citizen-requested item. These presentations are limited to three (3) minutes and total time allotted to non-agenda items will not exceed thirty (30) minutes. A member of the public who requires the use of a translator, in order to receive the same opportunity as others to directly address the Board, shall have twice the allotted time to speak. When addressing the Board, speakers are requested to adhere to the time limits set forth. In order to maintain allotted time limits, the Board Chair may modify speaker time allocations or the total amount of allotted time for an item.

Consent Agenda: All matters listed under the consent agenda are considered by the Board to be routine and will be approved/enacted by the Board in one motion in the form listed below. Unless specifically requested by a Board member for further discussion or removed from the agenda, there will be no discussion of these items prior to the Board votes on them. The Executive Director recommends approval of all consent agenda items.

In compliance with the Americans with Disabilities Act (ADA) and upon request, El Camino Real Alliance may furnish reasonable auxiliary aids and services to qualified individuals with disabilities. Requests for disability related modifications or accommodations shall be made 24 hours prior to the meeting to Daniel Chang, in person, by email at d.chang@ecrchs.net, or by calling (818) 595-7537.

Directors Present
Beatriz Chen (remote), Brad Wright (remote), Brian Archibald (remote), Jeff Davis (remote), John Perez (remote), Kenneth Lee (remote), Linda Ibach (remote), Scott Silverstein (remote), Steven Kofahl (remote)

Directors Absent
None

Directors who arrived after the meeting opened

Steven Kofahl

Directors who left before the meeting adjourned
John Perez

Guests Present
Daniel Chang (remote), David Hussey (remote), Gregory Wood (remote)

I. Opening Items

A. Call the Meeting to Order

Beatriz Chen called a meeting of the board of directors of El Camino Real Charter High School to order on Thursday Apr 22, 2021 at 4:31 PM.

B. Record Attendance and Guests

C. Pledge of Allegiance

Dr. Davis led the pledge of allegiance.
Steven Kofahl arrived.

D. Public Comments

Amy Carter, teacher, spoke regarding the reopening of the school and the instructional coaching position.
Heidi Maury, teacher, spoke regarding the reopening of the school.
Yasmine Pomeroy, teacher, spoke regarding the reopening of the school and the instructional coaching position.
A comment from James Delarme, teacher, was read into the record regarding the communication from administration.
A comment from Gary Asarch, teacher, was read into the record regarding ECR seeking PPP loan forgiveness.
Sammy Spencer, teacher, spoke regarding the end of the instructional coaching position.

E. UTLA Update

Ms. Knight expressed gratitude for those serving on the Reopening Committee, the Technology Committee, and the Professional Development Committee, all of whom have been working tirelessly to ensure that staff and students are being given the best experience possible at ECR.
The full contract bargaining has been put on hold, and instead the sides have been meeting regarding the reopening. Ms. Knight stated that there is only one issue, and that is paid time for teachers who are not returning to in-person instruction to come and organize their classrooms.

Ms. Knight also spoke regarding the removal of instructional coaches, which is written in the charter renewal petition.
Ms. Knight also spoke regarding seeking PPP loan forgiveness, and expressed UTLA's position against seeking said forgiveness.
There was also concern regarding the HR department, and their training, oversight, and investigative procedures.
Ms. Knight also expressed concern about the plan to return senior laptops and all textbooks two weeks before the end of the school year. She also expressed concerns as to whether the IT department was able to install the necessary software for AP exams.

F. Executive Director Update

Mr. Hussey thanked the School Nurse for her work in ensuring that ECR follows CDC, County and State safety guidelines, and noted that ECR most closely follows County guidelines because they have the strictest guidelines. He also thanked the Tech Committee, the Reopening Committee, and the Professional Development Advisory Committee, all of whom have worked to address all the issues this year and as we transition to hybrid learning. He also thanked the classified staff, most of whom have been working on campus the entire school year. Mr. Hussey also thanked the administration for their work. And he thanked the teachers for their work during distance learning.
Mr. Hussey spoke regarding COVID testing on-site, and noted that now LAUSD students and staff are coming to get tested on our site as other places have lines that are too long.
We met with Charter School Division today, and expect to get their oversight report in six to eight weeks.
Mr. Hussey also spoke regarding the testing we have been undergoing on campus, and stated that next month we will be administering close to 2,000 AP tests.
Mr. Hussey gave special recognition for our Special Education department; through their hard work, we have been awarded the Compliance Leader award which recognizes schools for their compliance with special education services and timelines being met, which has been particularly challenging during the pandemic.
We have applied for $45,000 in grants with the Charter Operations Program; Mr. Hussey stated that he would provide an update when/if we get those grants.
LAUSD has indicated that next week they will begin digging the area where the leak in our heating system pipes is located. We are also working towards replacing the bleachers.
Textbook and computer collection will take place this year the same as last year; it will start May 24th and continue through June 11th.
Summer school is scheduled for June 11th through July 23rd. If we reach an agreement on the side letter, we will begin summer school through simultaneous learning. If, however, the entire state opens June 15th, we will seek to have a full-fledged summer school.

Our athletic program is in full swing. Our last football game is on April 30th, and will be televised on LA36. Playoffs for tennis, soccer, and lacrosse begin mid May; volleyball late May; and softball, baseball, track, and cheer in June after the school year ends.
Counseling sessions have started for our incoming 9th graders; counselors will be available until 6 p.m., and families can make appointments to come in with all safety measures in place
We are looking to begin capitalization projects. Mr. Hussey read off a list of some of the projects we are considering.
Depending on how bargaining goes, we will be offering school tours for students who have never seen our campus.
Reopening is still being bargained; the Tech Department is ready to configure everything that is needed for simultaneous learning.
Regarding the Field of Promise, Mr. Hussey reached out to the other charter school programs and to the Charter Operated Programs, and we should have an update next month. Dixon Deutsch has said that he would come to the next Board meeting to discuss the Field of Promise program.
Mr. Wright questioned the textbook and computer collection, would that prevent students from accessing curriculum during testing particularly for those students who cannot afford a computer of their own. Mr. Hussey replied that we are well aware of the digital divide, which is why we began three years ago to provide computers to all students. He noted that, because of the distance learning this entire school year, and as AP exams and other senior activities would be taking place during that time, we would not have traditional finals but instead would use the time traditionally used for finals to collect textbooks and computers. We will start collecting from seniors first; however, if any student needs to keep computers for studying, they are allowed to do so. This will be made clear in information he will be sending out to parents. Mr. Wright advised that he would hold the Executive Director responsible for the morale of the school and the communication being sent out to teachers, parents, and students.
Mr. Silverstein asked about the graduation ceremony, prom, and senior/grad night. Mr. Hussey noted that we are still in the process of finalizing plans, but the preliminary plan is to have multiple in-person graduation ceremonies on-site based on new County guidelines. For prom we are trying to have an indoor event and are reaching out to venues and working with student leadership regarding that. As to grad night, Friends of ECR have been sending out information on that; it will take place over multiple nights.
Ms. Chen asked about the decision to not give final exams; Mr. Hussey noted that he spoke with the UTLA chair and co-chair, and they felt that it would be a good idea not to have the traditional final exams. Ms. Chen also asked who helped create the list of capitalization projects; Mr. Hussey noted that he spoke to some teachers, as well as administration and facilities. He will be sending out the list of projects to staff tonight or tomorrow, for their input. Ms. Chen also asked about AP testing and a public comment made about difficulties installing the AP software; Mr. Hussey noted that students who need to retain their laptops will be allowed to do so, and he is not aware of the issue with the AP software as he heard of this issue for the first time tonight. Mr. Hussey stated that there were no apparent issues with AP testing last year, and he has no reason to believe

there will be any issues this year. Mr. Hussey will check with the Tech Department and the college counselors whether they are aware of any such issues. Ms. Chen asked about the reopening still being bargained, and whether a video tour can be provided for parents to be able to see what the school will look like for reopening; Mr. Hussey replied that we have videos ready and those will all go out should an agreement is reached over the weekend.

Dr. Davis asked about summer school, which is critical considering the amount of learning loss suffered by students. He asked if the summer school dates could be shifted so that summer school could start on June 15th (when the Governor indicated the state could reopen fully) and end on July 27th, and whether ECR is considering any other offerings for summer school. Mr. Hussey replied that we had looked at the dates, and if we were to start later we would extend into the Welcome week, but he will take another look at the dates. Mr. Hussey also noted that have the traditional two-hour blocks, and we will also offer Cyber High.

Dr. Davis also asked if there was any way to use the gear and monies coming from the state and ESSER to provide additional assistance to students, such as help in Math, Language Arts, English Learners, and Special Education. Mr. Hussey stated that we have plans to have after-school tutoring sessions, but that is not traditional help in terms of earning summer school credits.

Mr. Archibald asked for an update with marketing. Mr. Hussey replied that the students, community, and staff voted on the mascot, and the name that was voted upon is the Royals. An announcement will be sent out over the weekend. Mr. Hussey is working with the marketing to make sure our information is being sent out to the community.

Ms. Chen asked that an update be provided at the next Board meeting regarding enrollment numbers.

G. Chief Business Officer Update

Mr. Wood went over the Investments Review, the Cafeteria Financial Summary, the CARES Act Funding, and the ADA reports. If we are able to reach agreement regarding reopening, we will have to consider how to offer in-person meals while still offering pick-up meals and how we will report that to CDE.

We are also mindful of having learning loss be a major component in the process for summer school, and having programs that will support students who have experienced learning loss due to the pandemic.

Mr. Wood also discussed our ADA numbers, and the fact that our funding is based on our 2019-2020 enrollment numbers.

Mr. Wood noted that CSD's financial review took place today. Our SELPA's fiscal committee is meeting tomorrow and will be discussing the special education budget for next year.

Mr. Wood advised that our insurance rates will likely increase next year, including the state unemployment expense.

He also noted that our healthcare benefits year renews in September; to ensure a smoother transition, we are looking for open enrollment to take place during the summer, and helping to navigate the pharmacy prescriptions program.
Regarding the capitalization projects, Mr. Wood noted that we may consider setting aside some of the school reserves to accomplish some of the projects we want.
Mr. Archibald asked for clarity regarding the increase in state unemployment expenses; Mr. Wood noted that the current state unemployment expense rate is 0.05%; next year, it will go to 1.2%. As a result, our current expense of $17,000 to $18,000 will go to over $250,000.
Mr. Silverstein stated that he agreed with Mr. Wood regarding using some of our reserves to make capital improvements, noting that LAUSD had announced this week that it would be spending $132M to improve the Taft High School campus.

H. Committee Updates

The Finance Committee met and reviewed the March financials. Beacon Pointe also gave a presentation regarding the investment strategy and policies. The Committee also went over the March 2021 check registers and the March 2021 credit card charges, and agreed to recommend approval of same. The Committee also discussed the PPP loan forgiveness; 2 of the 3 Committee members leaned towards not seeking forgiveness, the other Committee member disagreed.

II. Consent

A. Approve Minutes of March 25, 2021 Regular Board Meeting

This item was pulled from the consent agenda.
Brian Archibald made a motion to approve the minutes from Regular Board Meeting on 03-25-21.
Steven Kofahl seconded the motion.
The board **VOTED** to approve the motion.

Roll Call

Kenneth Lee	Aye
Brian Archibald	Aye
Linda Ibach	Aye
Steven Kofahl	Aye
Brad Wright	Aye
Beatriz Chen	Aye
John Perez	Aye
Scott Silverstein	Abstain
Jeff Davis	Aye

B. Review and Vote on March 2021 Check Registers

Brian Archibald made a motion to approve the March 2021 check registers.
Steven Kofahl seconded the motion.

The board **VOTED** unanimously to approve the motion.

C. Review and Vote on March 2021 Credit Card Charges

Brian Archibald made a motion to approve the March 2021 credit card charges.
Steven Kofahl seconded the motion.
The board **VOTED** unanimously to approve the motion.

III. Financial

A. March 2021 Financial Update

Mr. Wood went over the March 2021 Financial report.
Mr. Archibald asked for clarification regarding the reserves; Mr. Wood noted that the reserves were based on the State recommended minimum of reserves (based on total net assets) we should reserve. And these reserves could be used for things like capital improvements.

B. Discuss and Possible Vote on PPP Loan Forgiveness

Ms. Chen noted that, while we do not have to vote on this matter right now, she wanted to start the discussion now so that the Board could fully discuss the issue of whether to seek PPP loan forgiveness.
Dr. Davis noted that it was important to go back to the beginning, and note that we sought to apply for the loan because of the expected state deferrals. He noted that there is talk in the legislation about paying off the deferrals, but that is just talk and there is no guarantee that the deferrals would be paid off.
Mr. Wright asked regarding the deferral schedule. Mr. Hussey and Mr. Wood noted that the deferral schedule is based on a 5 month delay: so November we get paid for February; October we get paid for March; September we get paid for April; August we get paid for May; and July we get paid for June.
Mr. Silverstein stated that he believes we should not consider the PPP funding a loan, but rather a grant. He noted that we are fiduciaries for the school, not for the government, and that we have complied with all the requirements. He also stated that there are many uncertainties and increasing costs (such as insurance rates), and we need to secure the funding.
Mr. Archibald stated that he would refer people to the recording of the Finance Committee, which states his opinion on this issue. He disagreed with Mr. Silverstein that the loan was not intended for small businesses, it definitely is as there is a cap. He also noted that Mr. Silverstein's comments were inaccurate in that the reasons given were a blend, and not the purpose for which the PPP loan program was intended.
Mr. Kofahl noted that, much like he is allowed to take his deductions for his home and he legally complies with the requirements for such deductions, he believes that we have complied with all the requirements for the PPP program and as such we should be allowed to seek forgiveness if we qualify for it.

Ms. Chen noted that she was one of the members of the Finance Committee who was against seeking PPP loan forgiveness. If the loan proceeds were not used for its intended purpose of making payroll and for PPE equipment, then it did not meet the requirements and we should repay the loan. Moreover, we are getting millions in additional CARES Act funding, so if we have the financial standing to repay the loan, we should.
Mr. Perez stated that his understanding of this program was that any funds not used for the designated purposes are converted into a loan at 1% interest. So, his question is whether we will spend the entire amount by the date certain in the law for the purposes stated in the program, and if not how much not used in that way will be paid back at 1%.
Mr. Wood noted that we have a specific timeline, 24 weeks from the time that the government sets to collect data and show that we will use the funds for the intended purposes, which is payroll, benefits, and utilities (though not all utilities).
Mr. Perez noted that we have to keep track of the designated areas that we spend the PPP funds on; and if we do properly keep track of those areas, then that amount comes off the proceeds and we do not have to pay those amounts back.
Mr. Wright asked how we can use the PPP funds to help support our students and teachers. Mr. Hussey noted that our learning loss will be felt for years to come. However, there are certain grants that can be used to support our teachers and students, but the PPP funds are not intended for that purpose.
Mr. Archibald noted that the only qualification for the loan was that you have payroll that has to be met; if you do, then you would qualify for the forgiveness under the PPP program.
Scott Silverstein made a motion to approve seeking PPP loan forgiveness for the full amount received.
John Perez seconded the motion.
The board **VOTED** to approve the motion.

Roll Call	
Brad Wright	Aye
Beatriz Chen	No
John Perez	Aye
Linda Ibach	Aye
Brian Archibald	No
Steven Kofahl	Aye
Kenneth Lee	No
Jeff Davis	Aye
Scott Silverstein	Aye

IV. School Business

A. Discuss and Vote on Resolution re Department of Rehabilitation

Mr. Hussey noted that the Board approved the agreement with the Department of Rehabilitation (DOR) back in January. But the DOR
Steven Kofahl made a motion to approve the Resolution re Department of Rehabilitation.

Brad Wright seconded the motion.
The board **VOTED** to approve the motion.

Roll Call	
Beatriz Chen	Aye
Linda Ibach	Aye
Kenneth Lee	Aye
Jeff Davis	Aye
Brian Archibald	Aye
Scott Silverstein	Aye
Brad Wright	Aye
Steven Kofahl	Aye
John Perez	Aye

B. Discuss and Vote on Corporate Trustee

Mr. Hussey noted that a corporate trustee is required under the terms of our Trust agreement, and our investment advisor Beacon Pointe highly recommended US Bank to act as corporate trustee.
Steven Kofahl made a motion to approve US Bank as our corporate trustee for the Lifetime Healthcare Benefits Trust.
Jeff Davis seconded the motion.
The board **VOTED** to approve the motion.

Roll Call	
Beatriz Chen	Aye
Brad Wright	Abstain
John Perez	Aye
Linda Ibach	Aye
Scott Silverstein	Aye
Steven Kofahl	Aye
Jeff Davis	Aye
Kenneth Lee	Aye
Brian Archibald	Aye

C. Discuss and Vote on 2021-2022 School Calendar

Mr. Hussey noted that the school's Calendar Committee met several times to work on this. We typically try to align ourselves with LAUSD's calendar, but this year LAUSD has yet to publish their calendar. As a result, the Committee agreed upon this calendar. Traditionally, we start about a week before LAUSD, so our proposed start date for instruction would be August 6th, and August 4th and 5th would be our buyback day and our professional development day. The Jewish holidays in September were combined to allow for a 4 day weekend, as we take a significant hit in ADA when we have a holiday on a Thursday and then try to come back to school on a Friday. Our final day of school would be June 3rd, as it is now; this calendar is very similar to our calendar for this school

year. This calendar is very balanced, with about 5 more days in the Spring semester due to the additional testing done.
Ms. Ibach asked whether adding school days was discussed; Mr. Hussey replied that in the Committee it was not a consideration as we felt we could provide intervention assistance either before or after school.
Mr. Lee asked if we had counted the instructional minutes to make sure the calendar meets the requirements; Mr. Hussey noted that we have yet to get the total number of instructional minutes needed, but based on the existing requirements we would meet the minimum with a cushion.
Brad Wright made a motion to approve the 2021-2022 school calendar.
Steven Kofahl seconded the motion.
The board **VOTED** to approve the motion.

Roll Call	
Kenneth Lee	Aye
Jeff Davis	Aye
Steven Kofahl	Aye
Brian Archibald	Aye
Beatriz Chen	Aye
John Perez	Aye
Linda Ibach	Aye
Brad Wright	Aye
Scott Silverstein	Aye

D. Board Review of Comparable Compensation Data for Charter School Executives

The Board reviewed the Comparable Compensation Data.

V. Governance

A. Discuss Upcoming Board Vacancies

A discussion was held regarding the upcoming Board vacancies.
An ad hoc Nominating Committee was created, with Brad Wright, Linda Ibach, and Steven Kofahl. The Board agreed with the dates set forth in the Agenda.

VI. Closed Session

A. Conference with Legal Counsel: Existing Litigation

Closed session took place.

B. Conference with Legal Counsel: Anticipated Litigation

Closed session took place.

C. Public Employee Performance Evaluation

Closed session took place.

D. Public Employment

Closed session took place.

E. Conference with Labor Negotiators

Closed session took place.
John Perez left.

F. Conference with Labor Negotiators

Closed session took place.

VII. Reconvene to Open Session

A. Report on Actions Taken in Closed Session, If Any

There were no actions to report.

B. Possible Board Approval of Resolution Regarding Executive Compensation for Executive Director

This matter was continued.

C. Possible Board Approval of Employment Agreement for Executive Director

This matter was continued.

VIII. Closing Items

A. Adjourn Meeting

Brad Wright made a motion to adjourn the meeting.
Scott Silverstein seconded the motion.
The board **VOTED** unanimously to approve the motion.
There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 7:55 PM.

Respectfully Submitted,
Daniel Chang