APPROVED

El Camino Real Charter High School

Minutes

Special Board Meeting

Date and Time
Tuesday September 21, 2021 at 5:00 PM

Location
VIRTUAL BOARD MEETING - Please see below.

SPECIAL BOARD MEETING

For 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/5388363857922070027, webinar ID 419-084-899. 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 David Hussey, in person, by email at comment@ecrchs.net, or by calling (818) 595-7500.

Directors Present
Beatriz Chen (remote), Brad Wright (remote), Brian Archibald (remote), Daniela Lopez-Vargas (remote), Danielle Malconian (remote), John Perez (remote), Linda Ibach (remote), Scott Silverstein (remote), Steven Kofahl (remote)

Directors Absent
None

Directors who left before the meeting adjourned

Beatriz Chen, Scott Silverstein

Guests Present
David Hussey (remote), Emilie Larew (remote), Gregory Wood (remote)

I. Opening Items

A. Call the Meeting to Order

Brad Wright called a meeting of the board of directors of El Camino Real Charter High School to order on Tuesday Sep 21, 2021 at 5:00 PM.

B. Record Attendance and Guests

C. Pledge of Allegiance

Mr. Hussey led the Pledge of Allegiance.

D. Public Comments

Beatriz Chen made a public comment, and resigned her position on the Board.
Beatriz Chen left.

II. School Business

A. Discussion Regarding Attorney-Client Privilege

Ms. Larew noted that, in accord with the Brown Act training recently conducted, the Board business must be conducted in public, open sessions except for a few exceptions (none of which apply here).
Mr. Wright stated that there is outside counsel that represents the school, the law firm of Young, Minney & Corr. There was a phone conversation that took place on August 31, 2021 between outside counsel and two members of the Board; the Board discussed whether to waive the attorney-client privilege solely as it relates to that phone conversation.

Brad Wright made a motion to waive the attorney-client privilege as to the phone conversation on August 31, 2021.
Danielle Malconian seconded the motion.
The board **VOTED** to approve the motion.

Roll Call

Brad Wright	Aye
Brian Archibald	Abstain
Daniela Lopez-Vargas	Aye
Scott Silverstein	Abstain
Linda Ibach	Aye

Roll Call

John Perez	Aye
Danielle Malconian	Aye
Steven Kofahl	Aye
Beatriz Chen	Absent

B. Discuss Concerns Regarding Communications

Mr. Wright stated that, in May 2017, ECR's Board approved a Board policy stating that any contact with outside counsel should go directly to the staff first, then to the Board Chair, then to the Vice-Chair should the Chair not be available.

Ms. Larew read a statement by outside counsel Roger Scott which provided a summary of the telephone conversation between himself and Mr. Silverstein and Ms. Chen that took place on August 31, 2021.

Mr. Silverstein read a statement regarding his time spent as a Board member, and the circumstances giving rise to the current issue.

Mr. Archibald expressed regret over Ms. Chen's resignation and concerns as to the accusations levied against Mr. Silverstein and the timing involved. Mr. Wright replied that he had sat on this issue for a few days, and then elected not to raise it during the Yom Kippur holiday.

Ms. Ibach stated that this seems to be about lost trust and it is very damaging to the Board and the school to have some of the Board members questioning the Board's election process.

Ms. Malconian stated that she was very concerned about what occurred at the prior Board meeting, and stated that the Board owed a duty of loyalty and care to foster a healthy and successful environment for the teachers, students, and community.
Linda Ibach made a motion to remove Scott Silverstein as a Board member pursuant to Article 7, Section 11 of the ECR Bylaws.
Danielle Malconian seconded the motion.
The board **VOTED** to approve the motion.

Roll Call

Beatriz Chen	Absent
Linda Ibach	Aye
Scott Silverstein	No
Daniela Lopez-Vargas	Aye
Steven Kofahl	Abstain
John Perez	Aye
Brad Wright	Aye
Danielle Malconian	Aye
Brian Archibald	No

Scott Silverstein left.

III. Closing Items

A. Adjourn Meeting

Danielle Malconian made a motion to adjourn the meeting.
Steven Kofahl seconded the motion.
The board **VOTED** to approve the motion.

Roll Call	
Steven Kofahl	Aye
Linda Ibach	Aye
Scott Silverstein	Absent
Beatriz Chen	Absent
Brian Archibald	No
Brad Wright	Aye
John Perez	Aye
Daniela Lopez-Vargas	Aye
Danielle Malconian	Aye

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 5:33 PM.

Respectfully Submitted,
Emilie Larew