

**RESOLUTION  
OF THE  
BOARD OF EDUCATION  
OF THE  
AIMSK-12 College Prep Charter District**

**Permitting Virtual Meetings In Specified Circumstances**

**WHEREAS**, Assembly Bill No. 361 (“AB 361”) is intended to “improve and enhance public access to . . . local agency meetings during the COVID-19 pandemic and future applicable emergencies, by allowing broader access through teleconferencing options”;

**WHEREAS**, AB 361 permits local legislative bodies subject to the Brown Act to hold virtual meetings without needing to publish the physical locations of Board members or make those locations open to the public if there is a proclaimed state of emergency (pursuant to Section 8625 of the California Emergency Services Act) and either: (i) state or local officials have imposed or recommended measures to promote social distancing, or (ii) there is a finding that, as a result of the emergency, meeting in person “would present imminent risks to the health or safety of attendees”;

**WHEREAS**, prior to the COVID-19 pandemic, the American Indian Model School College Prep District Board of Directors (“AIMS Board”) held regular and committee meetings at 171 12th Street Oakland CA 94607

**WHEREAS**, the AIMS personnel available to ensure attendees are socially distanced and properly wearing masks at regular board and committee meetings held at the 171 12<sup>th</sup> Street location is insufficient to maintain a safe environment for in person meetings.

**NOW, THEREFORE, BE IT RESOLVED**, the AIMS Board hereby makes the following findings:

- The Governor has proclaimed a state of emergency pursuant to Section 8625 of the California Emergency Services Act
- Any violation of any state, local, or District health and safety protocols or other unsafe behavior in light of COVID-19 by one or more attendees at an in-person Board meeting at 171 12th Street Oakland CA 94607 location “would present imminent risks to the health or safety of attendees”,

**BE IT FURTHER RESOLVED**, the intent of these findings is to permit the AIMS Board regular and committee meetings subject to the Brown Act to meet virtually rather than in at 171 12th Street Oakland CA 94607 or similar location without publishing the physical locations of members (as such meetings would otherwise be held in unsafe locations in light of COVID-19);

**BE IT FURTHER RESOLVED**, nothing in this Resolution shall prohibit the AIMS Board, regular and committee meetings subject to the Brown Act from meeting in person if (i) a majority of the membership of the body approves a request to do so, (ii) the request specifies the dates of the desired in-person meeting(s) and the desired location(s), and (iii) the AIMS Board President and Superintendent approves, in writing, that the desired location(s) “would [not] present imminent risks to the health or safety of attendees”; and

**BE IT FURTHER RESOLVED**, this Resolution is effective for the month of January 2023 through February 2023.

**PASSED AND ADOPTED** by the Board of Education of the AIMS College Prep Charter District this 17 day of February, 2023, by the following vote:

AYES:

NOES:

ABSTAINED: