

RESOLUTION NO. 06222020

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
COMMUNITY SCHOOL FOR CREATIVE EDUCATION
TEMPORARILY FREEZING SALARIES AND WAGES FOR THE 2020-21
SCHOOL YEAR DUE TO ECONOMIC IMPACTS OF COVID-19**

WHEREAS, due to the global outbreak of the Novel Coronavirus (COVID-19), Governor Gavin Newsom declared a State of Emergency on March 4, 2020, and has since issued numerous other Executive Orders including those addressing public school closures and the temporary closure of most businesses;

WHEREAS, along with many other school districts and charter schools across California, Community School for Creative Education (“Charter School”) closed effective as of March 16, 2020 and implemented distance learning for the duration of the 2019-20 school year;

WHEREAS, California and global economies have suffered severe economic impacts as a result of COVID-19, and on May 14, 2020, Governor Newsom submitted his 2020-21 May Revision budget proposal to the Legislature (the “May Revision”) projecting significant cuts in education funding;

WHEREAS, in particular, the May Revision projects a 10% reduction (totaling \$6.5 billion) to the local control funding formula (LCFF), a \$19 million reduction to the Proposition 98 school funding guarantee over three years, reductions or no cost-of-living adjustments for State categorical programs, the withdrawal of nearly all proposals for new or expansion grants, and a total of \$5.3 billion in LCFF funding deferrals;

WHEREAS, according to Governor Newsom’s May Revision press release, the State’s collective bargaining units will negotiate to achieve reduced pay of approximately 10% for State employees, nearly all State government operations will be reduced over the next two years, and nonessential contracts, purchases, and travel have already been suspended;

WHEREAS, Charter School values its employees and greatly appreciates their services and contributions, but nevertheless recognizes that its Board of Directors is required to make financial decisions to preserve the longevity of Charter School in order to survive the economic crisis as best it can; and

WHEREAS, now, recognizing the unprecedented economic crisis caused by COVID-19, the uncertainty of Charter School’s revenue amounts and timing for the 2020-21 school year, and the need to ensure the long term financial viability of Charter School, this Board of Directors of Charter School desires to temporarily freeze all Charter School employee salaries and wages at their current levels and declare that no increases for cost of living pursuant to a salary schedule or for other reasons shall be implemented, while preserving the ability of Charter School to implement these increases retroactively should Charter School choose to do so later in the 2020-21 school year.

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

Section 1. The foregoing recitals are true and correct.

Section 2. As a result of the unprecedented economic crisis and financial uncertainty caused by COVID-19, this Board hereby declares that all Charter School employee base salaries and wages are hereby frozen, such that there shall be no increases in base salaries or wages provided to any Charter School employee unless filling a new or different position complete with a corresponding job description until further action is taken by this Board. Decreases in salaries or wages are still permitted at the discretion of the Executive Director or, as for the Executive Director, at the discretion of this Board.

Section 3. If this Board determines prior to the end of the 2020-21 school year that Charter School's revenue amounts and timing are sufficient to warrant retroactive increases, Charter School employee salaries and wages for the 2020-21 school year will be increased retroactively to the first day of the 2020-21 school year in an amount commensurate with what the employees would have earned absent the freeze on salaries and wages. Any such determination will be made prior to the end of the 2020-21 school year.

Section 4. The Executive Director of Charter School or his or her duly delegated representative (each an "Authorized Officer"), 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.

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SECRETARY’S CERTIFICATE

I, _____, Secretary of the Board of Directors of The Community School for Creative Education, a California nonprofit public benefit corporation, County of Alameda, California, hereby certify as follows:

The attached is a full, true, and correct copy of the resolutions duly adopted at a meeting of the Board of Directors of The Community School for Creative Education which was duly held on _____, 2020, at which meeting all of the members of the Board of Directors had due notice and at which a quorum thereof was present; and at such meeting such resolutions were adopted by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

I have carefully compared the same with the original minutes of such meeting on file and of record in my office; the attached resolution is a full, true, and correct copy of the original resolution adopted at such meeting and entered in such minutes; and such resolution has not been amended, modified, or rescinded since the date of its adoption, and the same is now in full force and effect.

WITNESS my hand on _____, 2020.

Secretary of the Board of Directors of
The Community School for Creative Education