Highland Academy Charter School Board of Directors
Resolution #2019-2020- [**0002**]
CONCERNING MEASURES TO ADDRESS THE ORGANIZATIONAL AND EDUCATIONAL IMPACTS OF THE COVID-19 VIRUS

WHEREAS, the safety and well-being of all students, staff, parents and stakeholders of the schools operated by Highland Academy Charter School ("Charter School") is paramount; and

WHEREAS, in December 2019, an outbreak of respiratory illness due to a coronavirus now known as COVID-19 was first identified in Wuhan City, China and has since spread to more than 75 countries, including the United States; and

WHEREAS, on January 23, 2020 the national Centers for Disease Control ("CDC") activated its Emergency Response System to provide ongoing support for the response to COVID-19 across the country; and

WHEREAS, on January 24, 2020, the California Department of Public Health activated its Medical and Health Coordination Center and on March 2, 2020, the California Office of Emergency Services activated the State Operations Center to support and guide state and local actions to preserve public health; and

WHEREAS, on March 4, 2020 the Governor of the State of California declared an emergency statewide relating to COVID-19 and has directed state agencies to provide updated and specific guidance to schools; and

WHEREAS, Charter School has been monitoring advice provided by the California Department of Education ("CDE"), the CDC, and the State and County health departments; and

WHEREAS, the number of confirmed cases of COVID-19 is growing at an alarming rate both around the world and in California; and

WHEREAS, more than 9,400 Californians in 49 counties are in "home monitoring" based on travel-related exposure to the virus; and

WHEREAS, experts anticipate that, while a high percentage of individuals affected by COVID-19 will experience mild flu-like symptoms, some will have more serious symptoms and require hospitalization, particularly individuals who are elderly or already have underlying chronic health conditions; and

WHEREAS, Charter School has some students, staff and family members who are likely at risk of more serious symptoms as a result of other health conditions; 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, public schools serving at least 85 percent of California school children have already closed in response to the pandemic; and

WHEREAS, COVID 19 has caused disruption to the lives of employees and their respective families during the pandemic; and

WHEREAS, the Board of Directors has determined that school closure is necessary in light of these circumstances; and

NOW THEREFORE BE IT RESOLVED THAT THE Board of Directors of Charter School directs the following, acknowledging that the Board of Directors may change this authority through formal Board action if it deems such change necessary:

1. Charter School shall be closed should the chartering authority, or local, state or federal government officials, including, but not limited to, the County Public Health Department ("Relevant Authorities") direct or recommend the closure;

2. The Program Director shall have the additional authority to direct the closure of the Charter School for additional periods not covered in paragraph 1 based on the Program Director 's determination that it is necessary to protect student and/or staff health and safety until the pandemic is resolved;

3. The Program Director shall have the authority to re-open the Charter School when he determines that the benefits of re-opening the Charter School outweigh the health risks to the students and staff; and

4. In order to immediately protect the health and safety of pupils and employees, the Program Director may waive any school or organization-wide policy or procedure to implement directives from Relevant Authorities;

5. The Program 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;

6. In order to immediately protect the health and safety of pupils and employees, the Program Director or designee may exclude pupil(s) or employee(s) from school or school activities as necessary to implement guidance or directives from Relevant Authorities or applicable law;

7. The Program Director or designee may hire additional staff or independent contractors as necessary or convenient for purposes of performing tasks recommended by Relevant Authorities or that the Program Director deems necessary in his/her discretion to mitigate the actual or potential impacts of COVID-19. The Program Director or designee shall consult the Charter School's legal counsel regarding collective bargaining agreement provisions impacting this authority if applicable;

8. The Program Director or designee may direct that all parent meetings, conferences, discussions, or other required parent interactions be held telephonically in order to minimize potential exposure of our students and staff by parents or other community members;

9. As necessary, the Program Director, in consultation with Charter School legal counsel, is directed to negotiate agreements or side letters with collective bargaining units, if any, relating to actual or potential impacts of COVID-19 on the terms and conditions of employment for represented employees and bring such revised agreements to the Board for approval;

10. As necessary, the Program Director, in consultation with Charter School legal counsel, is directed to negotiate 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;

11. As necessary, the Program Director, in consultation with Charter School legal counsel, is directed to negotiate any necessary changes to or cancelations of other non-employment 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;

12. The Program Director, in consultation with Charter School legal counsel and our granting agency, shall propose revisions to the academic calendar for the 2019-20 academic year, if necessary;

13. The Program Director, in consultation with Charter School legal counsel and our granting agency, shall prepare and file all necessary requests and supporting documentation to preserve full apportionment funding;

14. The Program Director, in consultation with Charter School legal counsel, may approve use of virtual, independent study or other programs designed to serve students who otherwise might be unserved;

15. The Program Director is directed to continuously inform families about updates to information and directives being received from Relevant Authorities;

16. The Program Director shall keep the Charter School Board and the charter school's parents and staff informed of his/her implementation of the provisions of this Resolution;

17. The Program Director shall consult with the Charter School's insurer for any advisement as to how to deal with virus related issues;

18. The Program Director shall ensure that free and reduced-price meals are provided to eligible students in the event of school closure unless this is impossible or commercially unreasonable;

19. In order to immediately protect the health and safety of pupils and employees, the Program 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; and

20. The Program Director, after consulting the Board Chair, shall have the authority to exceed the level of expenditures that would ordinarily trigger the requirement to also obtain approval of the Board Chair or Board of Directors under Board fiscal policies in order to pay for expenses related to the items contained in this Resolution. However, the cumulative total of such expenses shall not reduce the Charter School's unrestricted reserves lower than three (3) percent without prior approval of the Board of Directors.

PASSED AND ADOPTED by the Board of Directors of the Charter School on this **23** day of March 2020.

AYES:
NOES:
ABSTAIN:
ABSENT:

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Secretary
Highland Academy Charter School