

John Muir Charter Schools Board of Directors

Resolution #20-06

**CONCERNING MEASURES TO ADDRESS ONGOING
IMPACTS OF COVID-19 DURING SCHOOL RE-OPENING**

WHEREAS, John Muir Charter Schools (“JMCS”) operates and directs the operations of John Muir Charter School (“Charter School”), which operates locations throughout California; and

WHEREAS, the safety and well-being of all students, employees, parents and stakeholders of the Charter School is paramount; and

WHEREAS, equitable access to educational programs is essential for the student population that our Charter School serve; and

WHEREAS, on March 4, 2020 the Governor of the State of California declared a statewide emergency relating to the COVID-19 pandemic; and

WHEREAS, the Governor has directed state agencies to provide updated and specific guidance to schools; and

WHEREAS, the Governor has issued Executive Orders pertaining to school closures and other COVID-19 mitigation issues; and

WHEREAS, JMCS has been monitoring advice provided by local, state, and federal authorities including, but not limited to, the California Department of Education (“CDE”), the County Offices of Education for each county in which JMCS operates, Centers for Disease Control, Governor’s Office, California Department of Public Health, and the County Departments of Public Health for each county in which JMCS operates (“Relevant Authorities”); and

WHEREAS, guidance and directives from Relevant Authorities continues to rapidly evolve in response to new scientific knowledge, as well as changes to local infection rates in the communities served by the Charter School; and

WHEREAS, time will often be of the essence in responding to new guidance and directives issued by Relevant Authorities in order to protect the health of our students, employees and campus visitors; and

WHEREAS, the JMCS Board previously authorized the closure of the Charter School in response to the pandemic and distance learning was provided to students through the end of the 2019-20 academic year; and

WHEREAS, the State of California has now issued guidance allowing public schools to re-open with certain significant modifications and subject to local conditions that will likely require schools to open initially without any instruction occurring at the schoolsites; and

WHEREAS, the CDE issued guidance pertaining to school re-openings on June 8, 2020; and

WHEREAS, several of the County Offices of Education in the counties in which JMCS operates have issued guidance to county educational institutions to facilitate and return to site-based classroom instruction for the Fall 2020-21 school year relating to many aspects of school operations; and

WHEREAS, the County Public Health Officers in the counties in which JMCS operates have ongoing authority to take steps as necessary to protect the health of their county's students and the general public and we do not know at this time whether some or all of the Charter School's facilities will be allowed to re-open, re-open with modifications, or not re-open at all; and

WHEREAS, JMCS must begin taking steps to plan for re-opening in order to be able to re-open safely and smoothly in the event re-opening is permitted; and

WHEREAS, the JMCS Board anticipates that guidance from federal, state, and local officials will continue to change in response to the rapidly evolving pandemic and this necessitates a broad delegation of authority to the Charter School's leadership team to respond in real time both to the pandemic and issues caused by the pandemic; and

WHEREAS, the pandemic has also caused substantial economic disruption to the State of California that will impact the Charter School's public funding in significant but as yet unknown ways that necessitate the Board delegating more authority to the Chief Executive Officer to manage the budget of the Charter School in the context of reduced and/or delayed state funding; 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, the prior Resolution (#20-02) adopted by the JMCS Board relating to the pandemic did not specifically address issues that might arise for the 2020-21 academic year and beyond and the Board now wishes this Resolution to supersede the prior Resolution;

NOW THEREFORE BE IT RESOLVED THAT the Board of Directors of JMCS directs the following:

1. The Chief Executive Officer is authorized to develop and implement a plan for re-opening the Charter School and all of its locations ("Plan") in Fall 2020 in accordance with guidance and/or directives from the chartering authority, and local, state or federal government officials, including, but not limited to, Relevant Authorities.
2. The Plan shall include, but is not limited to: (a) any changes necessary to comply with public health guidance and directives from Relevant Authorities (e.g., physical distancing requirements, cleaning requirements, screening requirements, hygiene training, protective equipment, quarantine area(s), transportation plans and vehicle infection control, Cal/OSHA requirements, lunch and recess period procedures, nutrition service changes, addressing needs of students and employees with underlying health conditions, etc.); and (b) changes to each school's educational program (e.g., changes necessary to support physical distancing,

instructional schedule, assessment of student needs and progress, interventions, social-emotional learning, technology needs, meeting the needs of special education students and English Learners, distance learning options, etc.) including the before-and-after school programs, the day care programs, the professional development and training of employees, and the engagement and communication with stakeholders relating to the Plan. Communications relating to the pandemic and the Plan will be translated into languages spoken by families at home to the extent practicable.

3. The Chief Executive Officer shall review and update the Emergency Preparedness Plan, School Safety Plan, Continuity of Operations Plan and Pandemic Plan of the Charter School as necessary to comply with guidance and directives from Relevant Authorities and other government agencies.
4. In consultation with the Board Chair, the Chief Executive Officer shall have the authority to close the Charter School and/or implement a distance learning program during some or all of the 2020-21 academic year should the chartering authority, or local, state, or federal government officials, including, but not limited to Relevant Authorities, direct or recommend the closure as a result of a resurgence of COVID-19 or some other health emergency.
5. In consultation with the Board Chair, the Chief Executive Officer or designee shall have the additional authority to direct the closure of one or more of the Charter School's facilities for additional periods not covered in Paragraph 4 based on the Chief Executive Officer's determination that it is necessary to protect student and/or employee health and safety as a result of a resurgence of COVID-19 or some other health emergency.
6. In order to immediately protect the health and safety of students and/or employees, in consultation with the Board Chair, the Chief Executive Officer may waive any school or organization-wide policy or procedure to implement directives and/or guidance from Relevant Authorities.
7. The Chief Executive Officer shall have the authority to exclude anyone from the Charter School's facilities other than students and employees, including parents and volunteers, in order to minimize risk of COVID-19 exposure from the surrounding community.
8. In order to immediately protect the health and safety of students and employees, the Chief Executive Officer or designee may exclude students or employees from school or school activities as necessary to implement guidance or directives from Relevant Authorities or applicable law.
9. In consultation with the Board Chair, the Chief Executive Officer or designee may hire additional employees or independent contractors as necessary or convenient for purposes of performing tasks recommended by Relevant Authorities or that the Chief Executive Officer deems necessary in his discretion, after consulting with the Board Chair, to mitigate the actual or potential impacts of COVID-19.
10. As necessary, the Chief Executive Officer, in consultation with the Board Chair and Charter School legal counsel, is directed to negotiate any necessary changes to or cancellations of

other nonemployment 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.

11. The Chief Executive Officer or designee may direct that some or all parent meetings, conferences, discussions, or other required parent interactions be held telephonically or by video conference in order to minimize potential exposure of students and employees by parents or other community members.
12. As necessary, the Chief Executive Officer, in consultation with the Board Chair and Charter School's legal counsel, is directed to negotiate and implement revisions to employment agreements for employees relating to impacts on the terms and conditions of employment caused by the actual or potential impacts of COVID-19.
13. In consultation with the Board Chair, the Chief Executive Officer is authorized to implement layoffs, furloughs, salary freezes, and salary reductions to the extent permitted under any applicable employment contracts, and state law in order to effectuate the provisions of this Resolution and to maintain fiscal solvency notwithstanding cuts and deferrals of funding from the State of California.
14. In consultation with the Board Chair, the Chief Executive Officer, in consultation with the Charter School's granting agency, if required, may implement revisions to the academic calendar for the 2020-21 academic year, if necessary.
15. The Chief Executive Officer shall prepare and file all necessary requests and supporting documentation to preserve full apportionment funding.
16. The Chief Executive Officer may continue to approve use of distance learning programs designed to serve students who otherwise might be unserved. This shall be done in accordance with applicable state legal requirements.
17. The Chief Executive Officer 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.
18. In consultation with the Board Chair, the Chief Executive Officer shall have the authority to reduce expenditures in any budget category and re-allocate these funds to cover costs associated with re-opening and operating the Charter School in accordance with guidance and directives of Relevant Authorities and the Plan.
19. In consultation with the Board Chair, the Chief Executive Officer shall have the authority to exceed the limit that would ordinarily trigger the requirement to also obtain approval of the Board of Directors under Board fiscal policies in order to pay for expenses related to the implementation of guidance and directives from Relevant Authorities and other government agencies relating to the re-opening or operation of the Charter School and to implement the Plan. However, the cumulative total of such expenses shall not reduce the unrestricted reserves of the Charter School to lower than three percent (3%) without prior approval of the

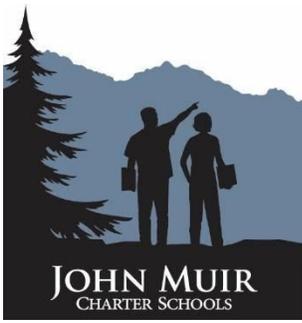
Board of Directors. Additionally, all such expenditures shall be reported to the Board and ratified at the Board's next regularly scheduled meeting. The Chief Executive Officer and Board Chair shall be mindful of the Charter School's current fiscal condition in authorizing such expenditures.

20. In consultation with the Board Chair, the Chief Executive Officer is authorized to enter into contracts for loans, revenue anticipation notes, and receivable sales to provide cash flow financing to the Charter School that is necessary to cover deferrals in state apportionment payments to the Charter School. The Chief Executive Officer shall provide advance notice to the Board of such financing transactions whenever possible and will consult with the JMCS Board Chair regarding all such financing transactions.
21. In consultation with the Board Chair, the Chief Executive Officer is authorized to seek material revisions to the charter of the Charter School, as necessary, to implement the Plan to reopen schools, other changes that may be necessary to ensure the fiscal stability of the Charter School, or to maintain the educational excellence of the Charter School's programs during the pandemic.
22. In consultation with the Board Chair, the Chief Executive Officer shall have the authority to commence, defend, and settle litigation on behalf of the Charter School that relates to or arises out of the pandemic. This authority shall include, but not be limited to claims and lawsuits relating to employees, students, parents, and volunteers who bring claims due to illness or that arise as a result of the Charter School implementing the Plan or guidance and directives of Relevant Authorities or other government agencies. The Chief Executive Officer shall notify the Board of Directors of any lawsuit or claim brought or threatened against the Charter School within ten (10) days.
23. The Chief Executive Officer is authorized to seek and accept donations from private sources and to apply for and accept funding from public sources including, but not limited to disaster relief funds, to cover the costs of implementing the Plan and/or following the guidance and directives of Relevant Authorities.
24. The Chief Executive Officer shall consult with the Charter School's insurer and/or legal counsel for any advice as to how to deal with virus-related issues.
25. The Chief Executive Officer is directed to inform families about the Plan and updates to information and directives being received from Relevant Authorities relating to the pandemic as determined in the Chief Executive Officer's reasonable judgment.
26. The Chief Executive Officer shall keep the Charter Schools' Board informed of his implementation of the provisions of this Resolution. In addition, the Chief Executive Officer shall keep the Charter School's parents updated on development and implementation of the Plan.
27. In anticipation that the pandemic may continue past the 2020-21 academic year, this Resolution shall remain in effect through June 30, 2022 unless modified or terminated prior to that time by action of the JMCS Board of Directors.

PASSED AND ADOPTED by the Board of Directors of John Muir Charter Schools on this 12th day of August, 2020.

AYES:
NOES:
ABSTAIN:
ABSENT:

Secretary



John Muir Charter Schools
117 New Mohawk Drive, Suite F
Nevada City, CA 95959
Phone: 530.272.4008
Fax: 530.272.4009
Web: www.johnmuircs.com

**RESOLUTION No. 20-02
OF THE BOARD OF DIRECTORS FOR JOHN MUIR CHARTER SCHOOLS.**

AUTHORIZATION TO PROVIDE BOARD PRESIDENT AND CEO AUTHORITY TO UNILATERALLY TAKE ANY AND ALL NECESSARY ACTIONS TO PREPARE AND RESPOND EFFECTIVELY TO THE NOVEL CORONAVIRUS (COVID-19) RESOLUTION

WHEREAS, the safety and well-being of all students, staff, parents and stakeholders of John Muir Charter Schools 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

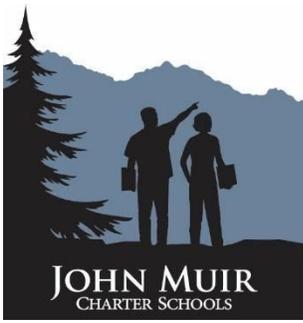
WHEREAS, John Muir Charter Schools has been monitoring advice provided by the California Department of Education (“CDE”), Nevada County Board of Education (“NCSOS”), the CDC, and the State and County health departments; and

WHEREAS, on March 13, 2020, John Muir Charter Schools received notification by NCSOS, that in an effort to prevent the spread of COVID-19, all public school districts are taking actions to close effective Monday, March 16 for a period of at least three weeks; 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



John Muir Charter Schools
117 New Mohawk Drive, Suite F
Nevada City, CA 95959
Phone: 530.272.4008
Fax: 530.272.4009
Web: www.johnmuircs.com

WHEREAS, John Muir Charter Schools 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 John Muir Charter Schools might prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of COVID-19;

NOW, THEREFORE, BE IT RESOLVED THAT THE Board of Directors of John Muir Charter Schools directs the following:

John Muir Charter Schools shall close individual school sites as necessary, in accordance with local school districts and county offices of education, and based on joint decisions made with JMCS partnering agencies commencing March 17, 2020, based on the election of the chartering authority, NCSOS, to close for the same dates, and based on the evident approval of such closures by county, state, and federal authorities. (NCSOS, state, local and federal officials are herewith referred to as “Relevant Authority”).

During the period of closure, the JMCS COE and COO shall be entitled, in his discretion, to direct essential staff to perform work at home or JMCS offices or other locations as appropriate;

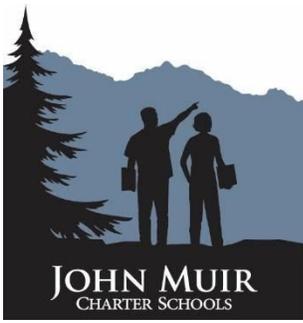
The CEO may close the School for up to fifteen (15) school days based on the CEO’s determination that it is necessary to protect student and/or staff health and safety; the CEO must seek the Board’s authority for any closure longer than fifteen (15) school days;

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

The CEO shall have the authority to exclude anyone from a JMCS classroom other than students and employees, including parents and volunteers, in order to minimize risk of COVID-19 exposure from the surrounding community;

In order to immediately protect the health and safety of pupils and employees, the CEO 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;

The CEO 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 CEO deems necessary in his/her discretion to mitigate the actual or potential impacts of COVID-19;



John Muir Charter Schools
117 New Mohawk Drive, Suite F
Nevada City, CA 95959
Phone: 530.272.4008
Fax: 530.272.4009
Web: www.johnmuircs.com

The CEO or designee may direct that all partnering agency and parent meetings, conferences, discussions, or other required interactions be held electronically or telephonically in order to minimize potential exposure of our students, staff, partners, parents or other community members;

As necessary, the CEO, in consultation with John Muir Charter Schools legal counsel, is directed to negotiate any necessary changes to or cancellations of other non-employment contracts in order to mitigate losses that John Muir Charter Schools would otherwise incur, or to provide different levels and types of services needed, as a result of actual or potential impacts of COVID-19;

The CEO, in consultation with John Muir Charter Schools legal counsel and our granting agency, shall propose revisions to the academic calendar for the 2019-20 academic year, if necessary;

The CEO, in consultation with John Muir Charter Schools legal counsel and our granting agency, shall prepare and file all necessary requests and supporting documentation to preserve full apportionment funding;

The CEO, in consultation with John Muir Charter Schools legal counsel, may approve use of virtual classes or other programs designed to serve students who otherwise might be unserved;

The CEO is directed to continuously inform JMCS students, staff, partners, and families about updates to information and directives being received from Relevant Authorities;

The CEO shall keep the John Muir Charter Schools Board and the charter school's students, staff, partners, and parents informed of his implementation of the provisions of this Resolution;

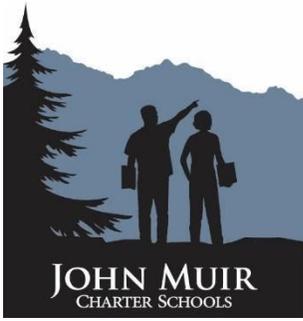
The CEO shall, if necessary, consult with JMCS' insurer for any advisement as to how to deal with virus related issues;

CEO or designee shall ensure that services to special education students continue to be provided in off-campus locations when appropriate and possible in the event of a school closure;

In order to immediately protect the health and safety of pupils and employees, the CEO 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

The CEO, 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 JMCS' unrestricted reserves lower than ten (10) percent without prior approval of the Board of Directors.

PASSED AND ADOPTED by the Board of Directors of John Muir Charter Schools on this 17th day of March 2020.



John Muir Charter Schools
117 New Mohawk Drive, Suite F
Nevada City, CA 95959
Phone: 530.272.4008
Fax: 530.272.4009
Web: www.johnmuircs.com

AYES **NOES** **ABSENT**
: : :
 — — —

I, Stanton Miller, Chair of the Board of Directors for John Muir Charter Schools, Inc. of Nevada County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the said Board at an emergency meeting thereof held at 117 New Mohawk Rd. Suite F, Nevada City, Ca 95959 and telephonically 1 (866) 266-3378, conference ID 916-366-7319, passcode 1795; at by the vote above stated, which resolution is on file in the office of the said Board.

Stanton Miller, Chairman of the Board _____