

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION

Agenda Item# 12.1f

Meeting Date: October 21, 2021

Subject: Approve Minutes of the September 30 , 2021, Special Board of Education Meeting

- Information Item Only
- Approval on Consent Agenda
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*minutes, or other time determined by the Board on each agenda item. Public comments submitted in writing will not be read aloud, but will be provided to the Board in advance of the meeting and posted on the District's website. The Board shall allow a reasonable time for public comment on each agenda item, not to exceed 15 minutes in length, including communications and organizational reports. With Board consent, the President may increase or decrease the length of time allowed for public comment, depending on the agenda item and the number of public comments.*

### **3.0 BOARD WORKSHOP/STRATEGIC PLAN AND OTHER INITIATIVES**

**3.1 Discussion and Possible Approval of Resolution No. 3230: Action  
Authorizing Use of Remote Teleconferencing Provisions  
Pursuant to AB 361 and Government Code Section 54953**

*Outside legal Counsel Anne Collins of Lozano Smith presented the resolution. She explained the law which was signed on September 15<sup>th</sup> and which goes into effect October 1<sup>st</sup> by saying the law authorizes public agencies to continue conducting public meetings remotely during a state of emergency so long as certain requirements are met. She said that the resolution includes the necessary findings to enable the Board to continue its practice of hosting board meetings for remote teleconferencing needs. She reminded that a conditional rule that the Board elects to use teleconferencing for public meeting, the Brown Act requires 1) a quorum of the body to participate from within the boundaries of the agencies of its jurisdiction and 2) the public agency that posts notice of each teleconference location, and 3) allow the public to address the legislative body from each teleconference location. Beginning in March of 2020 Governor Newsom issued executive orders relaxing these Brown Act provisions, allowing public agencies greater flexibility to hold meetings during the COVID-19 pandemic. Those orders expire today, and in light of that deadline, AB 361 was passed amending the Brown Act to allow public agencies to continue conducting remote meetings during a state of emergency without the need to comply with all of the teleconferencing requirements. Specifically, AB 361 suspends the requirements located in Government Code 54953 and relaxes the rules for remote meetings, similar to the Governor's orders. However, unlike the Governor's previous executive orders, in order to continue to meet remotely using the more relaxed teleconferencing rules, the Board must make specified findings every 30 days in order to continue to meet under these relaxed rules. Under the new law a public agency may use the more relaxed Brown Act teleconferencing requirements in any of the following circumstances: first, there is a proclaimed state of emergency and state or local officials have imposed or recommend measures to promote social distancing; second, there is a proclaimed state of emergency and the local agency's meeting is for the purpose of determining by a majority vote whether due to the result of the emergency meeting in person would present imminent risk to the health or safety of attendees; or third, there is a proclaimed state of emergency and the local agency has determined by majority vote that a result of the emergency may by meeting in person present an imminent risk to the health or safety of attendees. She continues that after making those required findings, the Board must again consider the circumstances of the state of emergency and make additional findings by majority vote every 30 days. She said that this meeting today falls under the second category just described and if the Board adopts the resolution they will be able to use the relaxed rules for teleconferencing and continue to conduct meetings remotely through the use of telephonic and internet based services so that members of the public may observe or participate in meetings or offer comment for the next 30 days. After that time, if the Board does not reconsider this state of*

*those relaxed teleconferencing rules and the meetings will be fully in person and the Board will adhere to the old rules should a member attend remotely.*

*Public Comment: Mo Kashmiri*

*Board Comments:*

*Member Phillips asked, if this is enacted, 30 days pass, and then the Board does not pass another resolution, will the Board be able go back to remote meetings. Ms. Collins said yes that is possible.*

*Vice President Murawski asked if we are able to require vaccinations for attendees to come inside the premises for Board meetings as part of the COVID-19 pandemic. President Pritchett answered that her understanding is that the board room is to be considered as a classroom because there is a student board member present at the meetings. So any rules and regulations for the classroom will be the same for the board room. Ms. Collins concurred. Vice President Murawski asked if there is a staff recommendation to move forward on this resolution for any operational conditions the Board should be aware of in terms of moving back to in person meetings. President Pritchett said that she believes by passing this resolution it gives staff the opportunity to provide reinforcements in the board room as is done in the classroom. Superintendent Aguilar gave details on what would be done.*

*Member Garcia asked to clarify that if the resolution passes today, it gives the Board 30 days to think about how they will move forward. President Pritchett said that is correct.*

*Second Vice President Woo made a motion to approve the resolution, and Vice President Murawski seconded. The motion passed unanimously.*