

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LEARNING EXCELLENCE FOUNDATION OF SOUTH PALM BEACH, INC. RATIFYING ADOPTION OF THE PROCEDURES FOR THE USE OF COMMUNICATION MEDIA TECHNOLOGY PURSUANT TO §§120.54(5)(B)(2) AND 1002.33(9), FLORIDA STATUTES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 4, 2020 the Governing Board of Learning Excellence Foundation of South Palm Beach, Inc. adopted a resolution setting forth procedures to conduct its meetings in compliance with §§120.54(5)(b)(2) and 1002.33(9), Florida Statutes, to hold meetings by use of communications media technology (“CMT”) due to the coronavirus (“COVID”) pandemic; and

WHEREAS, Florida Statutes, charter schools are authorized to utilize CMT to conduct its meetings pursuant to §1002.33(9); and

WHEREAS, the resolution adopted on May 4, 2020 was adopted in light of the emergency conditions presented by the COVID pandemic, the Governing Board is authorized and may nevertheless continue to utilize CMT for the conduct of its meetings when, as, and if it is determined it necessary to do so; and

WHEREAS, in order to ensure continued use of CMT, the Governing Board seeks to confirm its prior adoption of CMT procedures and modify those procedures as follows;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF LEARNING EXCELLENCE FOUNDATION OF SOUTH PALM BEACH, INC., THAT:

SECTION 1: The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof, and all exhibits referenced and attached hereto are incorporated herein and made a specific part of this Resolution.

SECTION 2: The Governing Board hereby ratifies the CMT procedures previously adopted by resolution of this Board, as well as any and all actions taken thereunder.

SECTION 3: The Governing Board further adopts the following procedures revised as follows:

- 1) Notice for all “virtual” meetings of the Governing Board shall be prepared and posted in accordance with Section 120.54(5)(b)(2), F.S., and Ch. 28-109, Florida Administrative Code, and other applicable local and state law. Such notice and agendas shall plainly state that such meeting is to be conducted virtually.

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identify the specific type of CMT to be used, and shall describe how interested persons may attend including:

- i. The address or addresses of all access points, specifically designating those which are in locations normally open to the public.
 - ii. The address of each access point where an interested person may go for the purpose of attending the proceeding.
 - iii. An address, e-mail address, and telephone number where an interested person may write or call for additional information.
 - i-iv. An address, e-mail address, and designated person to whom a person may submit written or other physical evidence which he or she intends to offer into evidence during the CMT proceedings.
- 2) Members of the Governing Board and Charter School staff may attend meetings remotely utilizing CMT. The Charter School staff shall assist to ensure that all members of the Governing Board and necessary Charter School staff, have access to the Governing Board meeting. Pursuant to the Order, ~~a the~~ physical presence of a quorum of the Governing Board is not legally required to hold a meeting and conduct official business. In the event that a physical quorum is not present, a virtual quorum shall be required in order to hold a meeting and conduct official business.
- 3) The Charter School principal and the parent representative must be physically present at each virtual meeting.~~The Charter School is closed to the public pursuant to the orders of Governor Ron DeSantis and The School Board of Brevard County, Florida. While the Charter School is closed to the public, the public shall not be permitted to physically attend meetings of the Governing Board. This restriction is intended to ensure compliance with Governor Ron DeSantis's Executive Order No. 20-91 and with the CDC recommendation to avoid gatherings of more than ten (10) people.~~
- 4) Any member of the public wishing to comment publicly on any matter, including on items on the agenda, may participate in the virtual meeting through the CMT platform as provided in the meeting notice and may also submit their comments by email to Stephanie.Standley@imageschools.org. All public comments submitted by email that, if read orally, are limited to three (3) minutes or less. ~~and All comments received by email~~ shall be read into the record during the meeting. All comments, whether through physical

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| [or virtual attendance, or](#) submitted by email shall be made a part of the public record and minutes of the meeting. Public comments may also be submitted online, prior to and during the meeting, through the Charter School's virtual meeting platform, accessible on the Charter School's Governing Board meeting or has any questions about how to submit a public comment at the meeting, please contact:

Stephanie Standley, Principal
Imagine Schools-Chancellor Campus
3333 High Ridge Road
Boynton Beach, Florida 33426
Tel. (561) 585-1189
stephanie.standley@imageschools.org

- 5) All action of the Governing Board shall be taken by a roll call vote.
- 6) If, at any point during the Governing Board meeting, the technology fails or if the technology is insufficient to permit all interested members of the public to attend, the Governing Board meeting shall cease immediately until such problems have been resolved.

SECTION 4: All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

SECTION 6: This Resolution shall become effective immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED BY THE BOARD OF DIRECTORS OF LEARNING EXCELLENCE FOUNDATION OF SOUTH PALM BEACH, INC., THIS 16TH DAY OF NOVEMBER, 2020.



CHRIS JOHNSON, CHAIR

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