

**RESOLUTION OF THE BOARD OF DIRECTORS OF INTERNATIONAL AMERICAN EDUCATION FEDERATION, CHARTER HOLDER OF INTERNATIONAL LEADERSHIP OF TEXAS REGARDING DECLARATION OF EMERGENCY, SUSPENSION OF THE TEXAS PUBLIC INFORMATION ACT, WAIVER OF PROCUREMENT POLICIES, WAIVER FOR MISSED INSTRUCTIONAL DAYS/LOW ATTENDANCE, APPROVAL OF PAY DURING CLOSURE/QUARANTINE, AUTHORIZATION OF TEA ATTESTATIONS, APPROVAL OF CLOSURES, APPROVAL OF DISTANCE INSTRUCTIONAL LEARNING, AND OTHER DELEGATIONS OF AUTHORITY DURING THE COVID-19 EMERGENCY**

**WHEREAS**, on March 13, 2020, the Governor of the State of Texas declared a statewide emergency, and, later that same day, the President of the United States declared a national emergency regarding COVID-19;

**WHEREAS**, Governor Abbott declared all schools closed;

**WHEREAS**, on March 25, 2020, and again on April 15, 2020, this Board declared a state of emergency and delegated certain authority to the Superintendent and Chief Financial Officer;

**WHEREAS**, the delegation of Procurement Authority expired on May 26, 2020, and the circumstances which led to the delegation of authority are still in existence and likely to continue;

**WHEREAS**, the Board recognizes that COVID-19 remains an unforeseen and unavoidable emergency of urgent public necessity, that the World Health Organization has declared COVID-19 a pandemic, and that additional emergency declarations may follow in the coming days and weeks;

**WHEREAS**, the Board of Directors of International Leadership of Texas (“School”) has a substantial public interest in protecting the health and safety of its students, staff and community;

**WHEREAS**, the School’s community, including its personnel and students and their families, have been or are likely to be substantially impacted by the COVID-19 Virus and there are or may soon be confirmed cases of COVID-19 in the School’s approved geographic boundary;

**WHEREAS**, the Board and Administration are following advice and directives from federal, state and local authorities in responding to the COVID-19 Virus;

**WHEREAS**, through circumstances completely beyond their control, School employees may be forced to miss an undetermined number of work-days due to likely closure of school facilities and operations;

**WHEREAS, the school’s response includes likely closure of school**

**facilities and operations**, and keeping employees at home; and

**WHEREAS**, the Board finds the COVID-19 pandemic to be a catastrophe that interferes with the school's ability to comply with the requirements of the Texas Public Information Act, Texas Government Code Chapter 552 (the "Act"); and

**WHEREAS**, the Board finds it to be in the best interest of its students and the community, and that a public purpose exists, to suspend the requirements of the Act pursuant to § 552.233;

**WHEREAS**, there is a public purpose served and a benefit to International Leadership of Texas to continue employee pay during any extended school-wide closures, namely, to demonstrate support of the School's employees, enhance morale and to support retention of employees so they can resume work with minimal impact on students once school reopens/work resumes;

**WHEREAS**, a public purpose exists for excusing absences of employees who are under medically directed quarantine on advice of their doctor or local health authorities, or who are otherwise directed by the School to not return to work;

**WHEREAS**, in order to conduct School operations while protecting the health safety and welfare of students and staff, it is prudent to suspend the application of procurement policies to enable the Superintendent to respond efficiently, expeditiously to emergency;

**WHEREAS**, in response to this emergency, there may be need to allow community use of school facilities; and

**WHEREAS**, in lieu of a complete or sustained closure of School, providing distance learning and virtual learning to students, and following TEA Guidance for same, is in the best interest of students and, so that the Superintendent may restructure and reassign/redeploy faculty and staff as necessary to accomplish these purposes and continue services to students, including providing food services to students in non-traditional manners.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Directors, at a lawfully called meeting of the Board, held in compliance with the Texas Open Meetings Act, formally extends its March 25, 2020 and April 15, 2020 emergency declarations and delegations until the earlier of either Governor Abbott lifting the state of emergency or this resolution is terminated by the Board, and declares that:

1. **Declaration of Public Health Emergency.** COVID-19 constitutes an unforeseen and unavoidable public health emergency.
2. **Need for Immediate Action.** Immediate action is necessary to be able to minimize the COVID-19 impact to students, staff, families and the community. Therefore, the instructional campuses and other school facilities operated by International Leadership of Texas shall be closed at least until the Governor or Texas Education Agency declares

schools to be opened or a later date as determined by the Superintendent in accordance with Paragraph 13 of this Resolution.

- a. In lieu of a complete or sustained closure, the administration shall provide for instructional continuity for its students including but not limited to options for distance learning and/or virtual learning and follow TEA Guidance for same.
  - b. The Superintendent may restructure and reassign/redeploy faculty and staff as necessary to accomplish this purpose and continue services to students, including the provision of food services to students in non-traditional manners.
  - c. The Superintendent may open or re-open school facilities on as-needed based to facilitate school business and instructional continuity for students.
3. **Procurement Waiver:** The delays and public health risks posed by the applicable procurement laws and corresponding Board policies coupled with the need to procure services and support to respond to COVID-19 to ensure safety of all students, staff, property and equipment will prevent or substantially impair student safety and or other essential school activities, the Board declares an emergency under Section 44.031(h) of the Education Code and other applicable law, and the Board hereby is suspending its normal purchasing policies and authorizing the Superintendent or Chief Financial Officer to make emergency procurements reasonably necessary to respond to COVID-19 issues. This waiver of procurement policies is expressly limited to responding to COVID-19 matters an is extended by the Board until such time as Governor Abbott or the Texas Education Commissioner declares the emergency situation lifted, the Schools systems are declared open, or if withdrawn by this Board, which occurs first.
4. **Waiver for Instructional Days:** The Superintendent is authorized to apply for missed instructional day waivers. Low attendance day waivers are also to be submitted for future dates, as may necessary and approved by the Texas Education Agency.
5. **Absence Waivers:** The Superintendent or designee is authorized to excuse absences for any employee who is under a medically directed quarantine for up to fourteen consecutive days.
6. **Employee Pay During Closures:** The Board authorizes and grants the discretion to the Superintendent to determine to continue pay and benefits, subject to any requirements or guidance from the State, to employees who are impacted by a federal, state or local agency ordered school closure of the employee's assigned campus or duty-station or closure determined by the Superintendent. The Board delegates to the Superintendent the authority to implement this, and to make determinations on first use of available paid time off and other leave balances, before expending additional funds for absences during a facility closure. The Board finds that a public purpose and benefit to the school and its students exists to compensate employees for work days missed due to the closure of their assigned school facilities as a result of COVID-19, and that this is necessary in the conduct of the public schools pursuant to Education Code § 45.105(c). The Board authorizes the

Superintendent or designee to make compensation decisions and adjustments to impacted employees as deemed appropriate to fulfill the purposes of this Resolution.

7. **Mandatory Quarantine of Employees and Students:** The Superintendent shall direct and prohibit employees and students who have traveled within the past seven days to Level 3 designated countries or states, including any country in Europe or who otherwise had direct contact with persons known to the employee/student or their family that have traveled to the same locations in the same time period, from attending school for a quarantine period. Such quarantine period from attending school or school-related activities/events shall extend at least 14-days with the date the student returned home as day-zero and the next day as day-one. The same quarantine restrictions shall also apply to any family member of said persons living in the same household. The Superintendent may extend or amend requirements based on guidance from state and local health officials.
8. **Pay During Quarantine:** for the same reason supporting pay during closures, any employee under required quarantine may continue to receive pay and benefits as determined by the Superintendent, subject to administration's determination regarding accrued state/local leave days and their use.
9. **TEA Attestations:** The Superintendent and Board President are authorized to execute and file the 2019-2020 COVID-10 Missed School Day Waiver Attestation Statement. Further, the Superintendent and Board President are authorized to execute and file the Attestation of Off-Campus Programs Approved for Purposes of Average Daily Attendance (TEC §48.007) with TEA. In addition, authorization is given, as necessary for the 2020-2021 school year.
10. **Instructional Continuity:** In addition to or in lieu of closure, The Superintendent is authorized to develop and implement education continuity plans following state guidelines to allow students to be educated through low-tech, workbooks/worksheets/packets, online learning, tele-and video-learning, and other virtual or distance learning/low-tech programs. The Superintendent is authorized and fully supported by the Board in reassigning staff to aid in development and implementation of education continuity plans to benefit and serve students. The Superintendent is authorized to make procurements necessary to fulfill the purposes of this resolution and to meet the needs and best interest of students.
11. **Use of School Facilities:** In response to this emergency, the Superintendent is authorized to make school facilities available for use to provide child care and other support services to first responders, health care workers, other critical infrastructure workers and other


personnel determined by the Superintendent, including staffing such services with school personnel and use of school equipment.

12. **Authorization to School Superintendent for Additional Waivers, Attestations or Reports:** In the event other waivers or immediate action is needed, the Superintendent is authorized, in consultation with the Board's Chair (or Vice Chair in absence of Chair), to take other action and to submit/apply for other waivers, attestations or reports in accordance with guidance and instructions from the State of Texas. Unless already permitted under the charter school contract with the State of Texas, the Superintendent is not authorized to take any action that is specifically reserved for the governing board of the charter holder under 19 TAC §100.1033 (b)(14)(C).
  
13. **Authorization to School Superintendent to Extend School Closure.** As necessary to minimize the COVID-19 impact to students, staff, families and the community or as ordered by federal, state or local public health officials, the Superintendent in consultation with the Board's Chair (or Vice Chair in absence of Chair), is authorized to continue campus closures for extended periods of time as determined to be in the best interest of health and safety.
  
14. **Suspension of Texas Public Information Act.** COVID-19 constitutes a catastrophe that interferes with the school's ability to comply with the requirements of the Texas Public Information Act, Texas Government Code chapter 552.
  - a. The requirements of the Act are suspended.
  - b. The Superintendent, or designee, is authorized to submit notice to the Attorney General pursuant to the Form attached hereto as **Exhibit A**.

*[SIGNATURE PAGE FOLLOWS]*

PASSED AND APPROVED BY THE MAJORITY OF MEMBERS OF THE BOARD OF DIRECTORS OF INTERNATIONAL AMERICAN EDUCATION FEDERATION, INC., d.b.a. INTERNATIONAL LEADERSHIP OF TEXAS, ON THE 17<sup>TH</sup> DAY OF JUNE, 2020.

Members Voting in Favor of Resolution:

DocuSigned by:  
  
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Maj. Gen. James Williams, Board President

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Lynne Beach, M.D., Board Vice President


DocuSigned by:  
  
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Mr. Tracy Cox, Board Secretary

DocuSigned by:  
  
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Dr. Soner Tarim, Board Member

DocuSigned by:  
  
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Mr. Peter Gudmundsson, Board Member

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Mr. Chris Moreland, Board Member

*The undersigned, being the Secretary of the Corporation, hereby certifies that the foregoing represents a true copy of a Resolution of the Directors of the Corporation, duly held on **June 17, 2020**, which Resolution is in full force and effect and has not been revoked or amended.*

DocuSigned by:  
  
584761A76D4C45E... 6/18/2020  
Secretary \_\_\_\_ / \_\_\_\_ / \_\_\_\_

DirectorDirectorDirector