



Magnolia Educational & Research Foundation dba Magnolia Public Schools
Board of Directors
Resolution #20200402-02
CONCERNING MEASURES TO ADDRESS THE ORGANIZATIONAL AND
EDUCATIONAL IMPACTS OF THE COVID-19 VIRUS

WHEREAS, the Magnolia Educational & Research Foundation dba Magnolia Public Schools (“MERF”) Board of Directors (the “MERF Board”) operates the following schools (each a “Magnolia School” and collectively the “Magnolia Schools”):

- Magnolia Science Academy 1 – Reseda
- Magnolia Science Academy 2 – Valley
- Magnolia Science Academy 3 – Carson
- Magnolia Science Academy 4 – Venice
- Magnolia Science Academy 5 – Los Lobos
- Magnolia Science Academy 6 – Palms
- Magnolia Science Academy 7 – Northridge
- Magnolia Science Academy 8 – Bell
- Magnolia Science Academy – Santa Ana
- Magnolia Science Academy – San Diego

WHEREAS, the safety and well-being of all students, staff, parents and stakeholders of the Magnolia 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 as of the date hereof 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, MERF has been monitoring advice provided by all relevant authorities including but not limited to the Magnolia Schools' chartering authorities, the California Department of Education ("CDE"), the Governor of the State of California, the CDC, and State and County health departments ("Relevant Authorities"); 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, as of the date hereof 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, the Magnolia Schools have 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 MERF school policies and/or procedures for the Magnolia Schools might prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of COVID-19;



WHEREAS, at a meeting held on March 27, 2020 the MERF Board adopted certain resolutions which, among other things, granted the Chief Executive Officer & Superintendent the authority to “close any Magnolia School from March 30, 2020 to May 4, 2020 , based on the Chief Executive Officer & Superintendent’s determination that it is necessary to protect student and/or staff health and safety; the Chief Executive Officer & Superintendent must seek the Board’s authority for any closure after May 4, 2020;

WHEREAS, based on current information regarding the COVID-19 virus and directives and guidelines provided by Relevant Authorities the MERF Board deems it in the best interests of MERF and the Magnolia Schools to supplement the Chief Executive Officer & Superintendent’s authority;

NOW, THEREFORE, BE IT RESOLVED THAT the MERF Board hereby directs the following:

1. Each Magnolia School shall be closed should its 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 Chief Executive Officer & Superintendent may close any Magnolia School through June 12, 2020 based on the Chief Executive Officer & Superintendent’s determination that it is necessary to protect student and/or staff health and safety; the Chief Executive Officer & Superintendent must seek the Board’s authority for any closure after June 12, 2020.
3. In order to immediately protect the health and safety of pupils and employees, the Chief Executive Officer & Superintendent may waive any Magnolia School or organization-wide policy or procedure to implement directives from Relevant Authorities;
4. The Chief Executive Officer & Superintendent shall have the authority to exclude anyone from a Magnolia School campus other than students and employees, including parents and volunteers, in order to minimize risk of COVID-19 exposure from the surrounding community;



5. In order to immediately protect the health and safety of pupils and employees, the Chief Executive Officer & Superintendent or designee may exclude pupil(s) or employee(s) from a Magnolia School or school activities as necessary to implement guidance or directives from Relevant Authorities or applicable law;
6. The Chief Executive Officer & Superintendent 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 Chief Executive Officer & Superintendent deems necessary in his/her discretion to mitigate the actual or potential impacts of COVID-19;
7. The Chief Executive Officer & Superintendent 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 Magnolia Schools' students and staff by parents or other community members;
8. As necessary, the Chief Executive Officer & Superintendent, in consultation with MERF 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;
9. As necessary, the Chief Executive Officer & Superintendent, in consultation with MERF legal counsel, is directed to negotiate any necessary changes to or cancelations of other non-employment contracts in order to mitigate losses that MERF and the Magnolia 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;
10. The Chief Executive Officer & Superintendent, in consultation with MERF legal counsel and or its authorizing agency, shall propose revisions to the academic calendar for the 2019-20 academic year, if necessary;
11. The Chief Executive Officer & Superintendent, in consultation with MERF legal counsel and or its authorizing agency, shall prepare and file all necessary requests and supporting documentation to preserve full apportionment funding;
12. The Chief Executive Officer & Superintendent, in consultation with MERF legal counsel, may approve use of virtual, independent study or other programs designed to serve students who otherwise might be unserved or underserved;



13. The Chief Executive Officer & Superintendent is directed to continuously inform families about updates to information and directives being received from Relevant Authorities; and
14. The Chief Executive Officer & Superintendent shall keep the MERF Board and the Magnolia Schools's parents and staff informed of his implementation of the provisions of this Resolution.
15. The Chief Executive Officer & Superintendent shall consult with MERF's insurer for any advisement as to how to deal with virus related issues.
16. The Chief Executive Officer & Superintendent 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.
17. The Chief Executive Officer & Superintendent shall ensure that free and reduced-price meals are provided to students in the event of school closure unless this is impossible or commercially unreasonable.
18. In order to immediately protect the health and safety of pupils and employees, the Chief Executive Officer & Superintendent or designee may restrict or cancel the use of Magnolia Schools's 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.
19. The Chief Executive Officer & Superintendent, after consulting the MERF Board Chair, shall have the authority to exceed the level of expenditures that would ordinarily trigger the requirement to also obtain approval of the MERF Board Chair or MERF Board 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 impacted Magnolia Schools' unrestricted reserves lower than three (3) percent without prior approval of the MERF Board.

RESOLVED FURTHER, except as modified by these Resolutions, the resolutions passed and adopted by the MERF Board on March 13th, 20th, and 27th, 2020 shall remain in full force and effect.

RESOLVED FURTHER, the Secretary or Assistant Secretary of the MERF Board, acting singly or together, be and hereby is and are authorized and directed to execute,



acknowledge and deliver a certified copy of these resolutions to any person or agency which may require copies of these resolutions and that the certification of the Secretary or Assistant Secretary as to the signatures of the officers, agents or employees will be binding on MERF.

RESOLVED FURTHER, that the appropriate officers of MERF are hereby authorized and directed to take such additional actions, to execute and deliver such additional instruments, and to make such further determinations as may be necessary or appropriate to carry into effect the foregoing resolutions.

PASSED AND ADOPTED by the Board of Directors of the Magnolia Educational & Research Foundation dba Magnolia Public Schools on this 2nd day of April 2020.

AYES:

NOES:

ABSTAIN:

ABSENT:

Barbara Torres
Secretary of
Magnolia Educational & Research
Foundation dba Magnolia Public Schools