

**Notice of Emergency Meeting  
Board of Directors of  
Lumin Education  
Friday, March 20, 2020**

An emergency meeting of the Board of Directors of Lumin Education will be held on Friday, March 20, 2020, beginning at 10:30 a.m. The meeting will be recorded and available to the public upon request by emailing both [Terry.Ford@LuminEducation.org](mailto:Terry.Ford@LuminEducation.org) and [Katy.Crowe@LuminEducation.org](mailto:Katy.Crowe@LuminEducation.org) .

This meeting is being conducted in accordance with the Governor's Authorization for Coronavirus Disaster. Therefore, the requirement for face-to-face interaction between members of the public and public officials is suspended. Members of the public who are interested in an alternative method of communicating with Lumin's public officials may do so by emailing both [Terry.Ford@LuminEducation.org](mailto:Terry.Ford@LuminEducation.org) and [Katy.Crowe@LuminEducation.org](mailto:Katy.Crowe@LuminEducation.org) .

**This meeting is being conducted by telephone conference as an Emergency Meeting of the Board in conformance with the Open Meetings Act.** Members of the public will be able to hear the meeting by **calling toll-free 1 346 248 7799** and entering the meeting code 331 446 316. An electronic copy of the Board Packet is available on the Resources Page of Lumin Education's website: [www.lumineducation.org](http://www.lumineducation.org)

A March 19, 2020 Texas Education Agency notice entitled [COVID 19 Specific Considerations for Open-Enrollment Charter Schools](#) states that "The notice for the meeting must specify the location of the meeting where it will be held..." and states that "Guidance for this has been provided on the attorney general's website at <https://www.texasattorneygeneral.gov/sites/default/files/files/divisions/open-government/COVID-19-OMA-Suspension-Letter.pdf> " The guidance in this link states that "The Office of the Governor suspends the following statutes to the extent necessary to allow telephonic or videoconference meetings and to avoid congregate settings in physical locations:" The list of suspended statutes includes "those statutes that require ... a presiding officer to be physically present at the specified location of the meeting". Therefore, the location of this emergency board meeting is Lumin Lindsley Park Community School at 7130 Lindsley Avenue, Dallas, Texas in the Mike A. Myers Conference Room. As per guidance from the Office of the Attorney General, in order to avoid face-to-face contact during this pandemic, members of the Lumin staff and board of directors will not be physically present at the specified meeting location.

The subjects to be discussed or considered or upon which any formal action may be taken are as follows:

- I. Welcome. Introductions. Establish quorum.
- II. Executive Session: Govt. Code 551.071 (consultation with legal counsel on COVID-19 related matters), 551.074 (personnel), 551.0821 (confidential student matters)

- III. Open Session: Consider and take possible action on board emergency resolution relating to COVID-19 Response and discussion pertaining to same.
- IV. Open Session: Consider and take possible action on Lumin's Campus TurnAround Plan resolution and discussion pertaining to same.
- V. Meeting Adjourned

An emergency or urgent public necessity exists that requires immediate action of the Board or an imminent threat to public health and safety or a reasonably unforeseeable situation exists, as follows:

The Federal Government and State of Texas have declared a public health emergency in all counties of Texas, including those served by Lumin Education. State and Local health officials have also advised against public meetings and gatherings of large groups of people. Immediate action is required due to the imminent threat to public health and safety relating to COVID-19. The threat to the State, community and the School is imminent as reported by federal and state officials and the situation qualifies as an epidemic under 551.045(b)(2)(C).

Items will not necessarily be discussed or considered in the order they are printed on the agenda above. If, during the course of the meeting, discussion of any item on the agenda should be held in an executive or closed session, the Board will convene in such executive or closed session as permitted by and in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551. All final votes, actions, or decisions will be taken in open meeting.

If this meeting is not concluded by 11:30 a.m., the Board may recess the meeting. If the meeting is recessed, the Board will reconvene at 10:30 a.m. on the following day, at the same location. If the reconvened meeting is not concluded by 1:30 p.m., the Board may continue to recess and reconvene in this fashion, from day to day, until the business posted on the Agenda for this meeting is concluded.

This notice was posted in compliance with the Texas Open Meetings Act on Lumin Education's website on Friday, March 20, 2020 at 9 a.m.

TIME: 9 a.m.

DATE: March 20, 2020

Signature: KCrowe

Name (printed): Katy Crowe

**LUMIN EDUCATION**  
**BOARD RESOLUTION OF EMERGENCY DECLARATION**  
**COVID-19 RESPONSE**

**WAIVER OF PROCUREMENT POLICIES FOR COVID-19 RELATED WORK**  
**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 AUTHORIZATIONS AND STATE WAIVERS**

**WHEREAS**, the Federal Government and Governor of Texas have declared a public health emergency and state of disaster in all counties of Texas in response to the imminent threat of COVID-19 pandemic.

**WHEREAS**, the Board of Directors of Lumin Education (“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 work-days due to likely closure of school facilities and operations;

**WHEREAS**, there is a public purpose served and a benefit to Lumin Education 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 Executive Director/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 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 Lumin Education shall be closed at least until June 30, 2020 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 designee to make emergency procurements reasonably necessary to respond to COVID-19 issues and authorizing a one-time budget amendment allocating an additional \$50,000 to address the specific needs related to this situation. This waiver of procurement policies is expressly limited to responding to COVID-19 matters and expires automatically 30-days after its authorization.
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.
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 President (or Vice President in absence of President), 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.

**PASSED AND APPROVED BY THE MAJORITY OF MEMBERS OF THE BOARD OF DIRECTORS OF LUMIN EDUCATION ON THIS 20TH DAY OF MARCH, 2020**

Members voting in favor of the Resolution:

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**RESOLUTION OF THE LUMIN EDUCATION BOARD OF TRUSTEES  
TO APPROVE THE CAMPUS TURNAROUND PLAN**

WHEREAS Lumin Education Board of Trustees and the Superintendent attest that the District Coordinator of School Improvement, principal supervisor (if applicable) and principal for Lumin Lindsley Park Community School have the knowledge, skills, and experience necessary to implement the plan as written;

WHEREAS, Lumin Education Board of Trustees and the Superintendent attest that if a new principal is hired on the campus prior to or during the implementation of the turnaround plan, the district must notify the agency immediately and ensure that the new principal will implement the commissioner approved plan;

WHEREAS, Lumin Education Board of Trustees and the Superintendent attest that assistance was requested from parents and community members in developing the campus turnaround plan for Lumin Lindsley Park Community School , per Texas Education Code (TEC) 39A.103(2). In addition, the request and input have been recorded and are available upon request;

WHEREAS, the Lumin Education Board of Trustees and the Superintendent attest that the campus site-based decision making committee (if applicable), parents, teachers, and community members had an opportunity to review the plan before it was submitted for approval to the board of trustees, per TEC 39A.104(a); and,

WHEREAS, the Lumin Education Board of Trustees and the Superintendent attest that this plan provides clear focus and urgency to effectively move the turnaround initiative(s) forward, and the district confirms its commitment to support the school in the successful implementation of this plan:

NOW, THEREFORE, be it resolved that: The Board of Trustees of Lumin Education and the Superintendent on March 27, 2020 have approved the campus turnaround plan for Lumin Lindsley Park Community School to be submitted to the Texas Education Agency.

ADOPTED March 20, 2020

Lumin Education

By:

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Executive Director/Superintendent

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Board President

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Board Vice President

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Board Member

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Board Secretary

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Board Member

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Board Treasurer

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Board Member

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