

State of Texas §
County of Harris §

**YES PREP PUBLIC SCHOOLS
BOARD RESOLUTION IN SUPPORT OF CERTIFICATION OF COMPLIANCE WITH
TEXAS EDUCATION CODE SECTIONS 11.005 AND 28.0022**

WHEREAS, Texas Education Code Section 39.008 requires open enrollment charter school superintendents to certify to the Texas Education Agency ("TEA") by September 30th of each year that the open-enrollment charter school is in compliance with Section 11.005 of the Texas Education Code (Prohibition on DEI Duties) and with Section 28.0022 of the Texas Education Code (Certain Instructional Requirements and Prohibitions); and

WHEREAS, Texas Education Code Section 12.104(b)(3)(Z) specifies that Section 11.005 applies to open-enrollment charter schools and Texas Education Code 28.0022 specifies that it applies to open-enrollment charter schools; and

WHEREAS, the Board of Directors held a public meeting on January 22, 2026, that included an opportunity for public testimony on this matter and for which notice was posted on the school's Internet website at least seven days before the date on which the board meeting was held; and

WHEREAS, a copy of the board meeting notice is attached hereto as Exhibit A to this resolution; and

WHEREAS, during the January 22, 2026, board meeting, the Superintendent's designee presented to the Board of Directors the compliance information captured in Exhibit B to this resolution.

BE IT THEREFORE RESOLVED THAT a majority of the members of the Board of Directors at a lawfully called meeting pursuant to the Texas open meetings law hereby adopts the following resolutions:

SECTION 1. The Board of Directors hereby resolves to approve the Exhibit B compliance information presented by the Superintendent's designee at the public meeting of the Board of Directors held on January 22, 2026, and finds that the (name of charter school) is in full compliance with Texas Education Code Sections 11.005 and 28.0022.

SECTION 2. The Superintendent is hereby directed to certify compliance with Texas Education Code Sections 11.005 and 28.0022 by submitting a completed certification form to TEA in the manner and means directed by TEA. The Board of Directors understands that TEA must post the completed certification on the TEA's Internet website.

PASSED AND APPROVED BY THE MAJORITY OF THE MEMBERS OF THE BOARD OF DIRECTORS OF YES PREP PUBLIC SCHOOLS, INC., ON THIS, THE 22nd DAY OF JANUARY 2026.

[Signature Page Follows]

Members voting in favor:



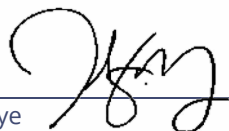
Andrea Link



Ben Marshall



Chris Barbic



Jordan Marye



Joseph Gatto

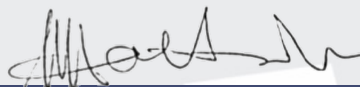


Michol Ecklund



Mickey Barrett

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 January 22, 2026, which Resolution is in full force and effect and has not been revoked or amended.



Secretary

1 / 22 / 2026

EXHIBIT A
BOARD MEETING AGENDA



MEETING NOTICE

Notice is hereby given that the Board of Directors of YES Prep Public Schools will hold a regular meeting, open to the public, on **Thursday, January 22, at 7:30 AM**. The Board will convene in Open Session at 5455 South Loop East Freeway, Houston, TX 77033. It is the intent of the Board to have a quorum physically present at the above address. If a quorum of the Board is not physically present at the above address, it is the intent to have the presiding officer physically present at the above address. Other members of the Board may be participating via videoconference in compliance with the Texas Open Meetings Act (Tex. Gov't Code § 551.127(e)). Videoconferencing link provided upon request by emailing julie.nguyen@yesprep.org. Members of the public may submit a request to comment on any agenda items(s) to dana.foughty@yesprep.org before or during consideration of the item.

The subjects to be discussed or considered upon which any formal action may be taken are listed below. Items do not have to be taken in the order shown on this meeting notice. Consent agenda items, if applicable, will be acted on at one time. If during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the Board will conduct a closed meeting in accordance with the Texas Open Meetings Act, Texas Government Code Section 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in an open meeting.

1. **Call to Order, quorum determined, meeting declared open**
2. **Business Agenda:**

1	Vote to approve adoption of the board resolution in support of certification of compliance with TEC §11.005 and §28.0022.
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3. Consent agenda:

1	Vote to approve meeting minutes from December 18, 2025, Board meeting.
2	Vote to authorize the CEO to award a contract for the purchase of staff and student electronic devices through a purchasing cooperative, with an estimated cost of \$500,000, subject to final contract approval at the next board meeting.
3	Vote to approve awarding a contract to Binyod, LLC. for RFP#YESP2026-05 EES, WES, WOS Audiovisual Improvements in the amount of \$118,981.56.
4	Vote to approve the purchase of school furniture from Gateway and Indeco through purchasing cooperative contracts for an estimated amount of \$1,100,000.00.
5	Vote to approve the TXU Energy contract for 2026-2027 through the TIPS Purchasing Cooperative Contract #220904.
6	Vote to approve adoption and use of the Renaissance Learning, Inc. assessment platform, along with the associated 3-year contract agreement, for YES Prep districtwide student assessments, for a total cost of \$412,700 over 3 years.
7	Vote to ratify the contract with Nick Finnegan Counseling Center for Spring 2026.
8	Vote to ratify the training contract with ESC Region 4 for Spring 2026.
9	Vote to approve the contract with Alchemy Studios & Labs for Spring 2026.
10	Vote to ratify the 2.5-year nutrition education program agreement with Harris County Public Health.
11	Vote to approve completion of the U.S. Department of State and Teacher Lounge Policies and Procedures Acknowledgement Form.

EXECUTIVE SESSION: Pursuant to TEXAS GOVERNMENT CODE §§551.074 and 551.076, the Board will deliberate, in accordance with the above statutes, recent unannounced intruder detection audit findings and specific personnel matters.

4. Executive Session

5. Adjournment



WORKSHOP NOTICE

Notice is hereby given that the Board of Directors of YES Prep Public Schools will hold a regular meeting, open to the public, on **Thursday, January 22, at 7:30 AM**. The Board will convene in Open Session at 5455 South Loop East Freeway, Houston, TX 77033. It is the intent of the Board to have a quorum physically present at the above address. If a quorum of the Board is not physically present at the above address, it is the intent to have the presiding officer physically present at the above address. Other members of the Board may be participating via videoconference in compliance with the Texas Open Meetings Act (Tex. Gov't Code § 551.127(e)). Videoconferencing link provided upon request by emailing julie.nguyen@yesprep.org. Members of the public may submit comments on any agenda items(s) to dana.foughty@yesprep.org before or during consideration of the item.

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1. **Call to Order, quorum determined, workshop declared open**
2. **Public Comment**
3. **Unannounced Intruder Detection Audit Notification**
4. **Strategic Topic: Enrollment Threat and Opportunity Analysis**
5. **Program Report**
 - **Common Assessment 1 Results & A-F Projections**

- **Staff Satisfaction & Retention**
- 6. **2024-2025 Texas Academic Performance Reports**
- 7. **Finance Report – FY27 Budget Priorities**
- 8. **CEO Report: Progress to Annual Org Goals**
- 9. **Workshop adjournment**



EXHIBIT B COMPLIANCE CERTIFICATION INFORMATION

A. Compliance with Texas Education Code Section 11.005(c).

- a. Policy Description: Board Policy 4.212 incorporates the essential elements of Section 11.005 including: the statutory definition of DEI duties, a prohibition against the assignment DEI duties, the circumstances under which disciplinary action may be taken against an employee or contractor who intentionally or knowingly engages in or assigns DEI duties, and the limitations of the DEI prohibitions as set forth in the statute.
- b. Manner of Notice: YES Prep Employees and contractors were notified of the policy via system email on January 13, 2025.
- c. Prior Policy or Program Changes: YES Prep teams reviewed student programming, staff trainings, and student and employee handbooks during Summer 2025 to ensure compliance with Section 11.005.
- d. Cost Saving Resulting from Compliance: The school has not realized any cost savings resulting from actions taken by the school to comply with Section 11.005.

B. Compliance with Texas Education Code Section 28.0022(h).

- a. Policy Description: Board Policy 4.213 incorporates the essential elements of the statute including: the prohibited classroom discussions and activities, the applicable exceptions to the prohibited classroom discussions and activities, the prohibition of penalties against students, the circumstances under which disciplinary action may be taken against an employee or contractor who intentionally or knowingly engages in conduct prohibited by the policy, and a requirement for the school to distribute the policy to each employee and contractor.
- b. Manner of Notice: YES Prep Employees and contractors were notified of the policy via system email on January 13, 2025.
- c. Prior Policy or Program Changes: YES Prep teams reviewed student programming and curriculum and informed staff of minor changes during summer training in preparation for the instructional year, to ensure compliance with Section 28.0022.
- d. Cost Saving Resulting from Compliance: The school has not realized any cost savings resulting from actions taken by the school to comply with Section 28.0022.