

MCDADE ISD

RESOLUTION OF THE BOARD OF TRUSTEES REGARDING PAYMENT OF EMPLOYEES AND AUTHORIZATION OF THE SUPERINTENDENT DURING EMERGENCY SCHOOL CLOSURE

WHEREAS, the McDade Independent School District Board of Trustees (Board) recognizes that officials in Bastrop County, the State of Texas and the United States Government have declared a disaster and emergency regarding coronavirus/COVID-19 (hereafter "COVID-19") and its potential spread;

WHEREAS, the territory included in McDade Independent School District is within the areas declared a disaster and an emergency area;

WHEREAS, on or about March 13, 2020, the President of the United States declared a national emergency and the Governor of the State of Texas declared a statewide disaster regarding COVID-19;

WHEREAS, yesterday, at or about 4:00 p.m., the County of Bastrop, Texas declared a local state of disaster regarding COVID-19 following similar declarations from the City of Austin and County of Travis on or about March 6, 2020;

WHEREAS, the Board recognizes that COVID-19 is an unforeseen and unavoidable emergency of urgent public necessity, that the World Health Organization has declared COVID19 a pandemic, and that additional emergency declarations may follow in the coming days and weeks;

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

WHEREAS, the Board has a substantial public interest in protecting the health and safety of its students, staff, and community and therefore desires to ensure that the school district and community are prepared to the fullest extent possible to protect the health and safety of students, staff, and community in light of COVID-19;

WHEREAS, the District closed for Spring Break from March 16-20, 2020 and has announced school closings until at least April 5, 2020 and may determine a need exists to implement further suspension of traditional school classes in response to the health needs of our families and our community;

WHEREAS, the District's public purpose is served by promoting conscientious health choices, including individual quarantines as may be necessary when classes resume, and to continue compensation of staff members during such times;

WHEREAS, the District's public purpose is served by working with students, families, and staff to the extent possible to support continued learning during times of school suspension and/or quarantine;

WHEREAS, the Board seeks to retain its employees, reduce turnover, increase morale, help employees focus on work-related matters while working, and facilitate the eventual return to full-time duty of employees after schools re-open and believes that an additional public purpose exists in doing so;

WHEREAS, the Board acknowledges that during an emergency closing, many District employees are instructed not to report for work on a regular basis and that work schedules will be unpredictable over the coming weeks. The Board concludes that a need exists to address wage payments for employees who are idled, working irregular hours, and working less hours during emergency closures;

WHEREAS, employees who are instructed not to report to work or who are instructed to work less hours may suffer a loss of pay unless the workdays are made up at a later date. The Board concludes that continuing wage payments to all employees, contractual and non-contractual, salaried and non-salaried, who might otherwise suffer a loss in pay due to the emergency closing, in an amount equal to all employees regularly scheduled work hours, serves the public purposes of maintaining morale, reducing turnover, and ensuring continuity of District staffing when schools reopen.

WHEREAS, the Board believes the public purposes described above are fulfilled by efficiently and effectively making certain delegations, as described more fully herein, to the Superintendent to address this ever-changing emergency situation in the best interest of the health, safety, and well-being of its students, staff, community, and the citizenship at-large.

IT IS THEREFORE RESOLVED THAT the Board of Trustees finds a substantial public purpose exists in protecting the health and safety of its students, staff, and community and therefore in ensuring that the school district and community are prepared to the fullest extent possible to protect the health and safety of students, staff, and community in light of COVID-19.

In furtherance of these public purposes, the Board of Trustees makes the following delegations to the Superintendent and designee(s):

1. The authority to act in the place of the Board under Policy DEA (LOCAL) and thus make all decisions regarding payment of employees during the current and emergency closure and possible extended future closures related to Covid-19, to implement the provisions of Board Policy DEA(LOCAL), and to make determinations regarding the purpose and parameters of any such payments;
2. The authority to alter the McDade ISD 2019-2020 school calendar by changing and/or adding school/instructional hours and work/school days as necessitated by any emergency closure or related concerns;
3. The authority to act in place of the Board under Policy DEC (Local) regarding employee leave and thus create guidelines and make decisions regarding absences, leave time, leave days, and compensation of any employee who is quarantined as a result of COVID19 and/or who tests positive for COVID-19 and who presents appropriate medical documentation regarding themselves and/or an immediate family member, in compliance with Texas and federal law;
5. The authority to seek any necessary waivers from the Texas Education Agency without further action of the Board of Trustees regarding missed instructional days, low attendance, or any matters related to the current emergency closure and possible extended future closures due to Covid-19, as part of this Resolution;

6. The authority to declare a catastrophe and take all actions as appropriate in accordance with Texas Government Code, Section 552.233, regarding temporary suspension of the Texas Public Information Act during the current closure and possible extended future closures due to Covid-19;

7. The authority to act in place of the Board under Policies CH, COA and CV (Local), during the current emergency closure and possible extended future closures due to Covid-19, regarding procurement and thus procure, negotiate, and execute contracts for goods and services that are necessary to mitigate, prevent, restore, and repair damage caused to District equipment, personal property, and facilities or to protect the safety of students and staff, related to COVID-19 and its potential spread. Such authority being necessary to prevent delays posed by competitive procurement of contracts that will prevent or substantially impair the continuation of instruction, return to regular classes, or other essential school functions and activities; and

8. In the event other waivers or immediate actions are needed, the Superintendent is authorized to take other action and to submit/apply for other waivers in accordance with guidance and instructions from the national and state authorities and/or agencies.

The above Resolution is passed and adopted this 17 day of March 2020 by the Board of Trustees.



Board President



Board Secretary