

**A RESOLUTION DELEGATING AUTHORITY TO THE
SUPERINTENDENT TO ACT IN PLACE OF THE TERRELL INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES DURING MODIFIED OPERATIONS DURING 2020-21**

WHEREAS, the Terrell Independent School District Board of Trustees (Board) recognizes that 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 and continue to extend this declaration;

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

WHEREAS, the Board recognizes that COVID-19 is 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 have been and will continue to be issued in the coming days, weeks and months;

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

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 is starting school for the 2020-2021 school year for students on August 26, 2020, with some students physically returning to school and others continuing to engage in remote learning, and the District may determine a possible need exists to implement further modified operations and other district business in response to the health needs of our families and our community including but not limited to the possible re-closing of schools;

WHEREAS, the District's public purpose is served by promoting conscientious health choices, including medical examinations, individual quarantines and leaves as may be necessary;

WHEREAS, the District's public purpose is served by working with students, families, and staff to the extent possible to support continued learning and providing food if there is a return to school suspension and/or quarantine;

WHEREAS, the Board supports future decisions the Superintendent may make under the authority of this Resolution and 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; and

WHEREAS, the Board continues to provide controls and oversight for the District expenditures and authority granted to the Superintendent herein through requiring that the Superintendent communicate to the Board all actions taken under this grant of authority.

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) for the 2020-21 school year unless the Board takes action to end some or all of the authority on an earlier date:

1. The authority to act in the place of the Board under Policy DEA (LOCAL) and thus make all decisions regarding the employment and compensation of exempt and non-exempt employees during the 2020-2021 school year including, but not limited to, times of modified operations, to include possible premium payments to certain employees and implement those decisions and the provisions of Board Policy DEA(LOCAL), and to make determinations regarding the purpose and parameters of any such payments modified operations and related actions;
2. The authority to approve variations from the District's 2020-2021 school calendar by changing and/or adding school/instructional hours and work/school days as necessitated by any modified operations or related concerns as provided by EB (LOCAL);
3. The authority to suspend all "business day" deadlines for the setting of hearings and District responses outlined in local policy;
4. The authority to seek any necessary waivers and to file attestations and/or instruction plans for the Texas Education Agency and revise applicable policy without further action of the Board of Trustees regarding phasing instruction, instructional days/hours, attendance, synchronous, asynchronous or hybrid instruction or any combination thereof and for any matters related to the modified operation of schools as part of this Resolution; or any matters necessitating a waiver as a result of COVID-19 as allowed by state law and the Texas Education Agency;
5. The authority to make decisions regarding the opening and closing of school throughout the school year as may be necessary as a result of COVID-19 or any of the orders of the Federal and State government.
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;
7. The authority to act in place of the Board under Policies CH (LOCAL) COA (LOCAL) and CV (LOCAL) 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. This authority specifically allows the Superintendent to make purchases above \$50,000 in accordance with the requirements of Policy CH (Legal) in order to prevent delay caused by the necessity of calling a Board meeting to approve such purchases, provided that the Superintendent shall report any emergency purchases procured pursuant to this authority to the Board at the next called Board meeting;
8. The authority to determine grades for any grading period during which the District is under a Federal or State emergency order due to COVID-19, including times during which instruction was synchronous, asynchronous or a combination of the two. This delegation further authorizes the Superintendent to interpret and institute final grades for the 2020-2021 school year and determine Local Graduation Honors, including Valedictorian and Salutatorian for the graduating seniors from the class of 2021;

9. The authority to interpret and execute all aspects of Board Policies EI (LOCAL), EIA (LOCAL), EIC (LOCAL) EIE (LOCAL), and EIF (LOCAL), in compliance with Federal and State law;

10. The authority to determine whether students who have chosen to receive all instruction through remote instruction methods may participate in extracurricular activities and to implement local policy regarding the determination; and

11. 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 authority granted by this resolution is effective for the entire 2020-2021 school year, unless the Board takes action to authorize continuation for a longer duration.

The above Resolution is passed and adopted this 21st day of September 2020 by the Board of Trustees.

APPROVED:

ATTEST:

President, Board of Trustees

Secretary, Board of Trustees