

**RESOLUTION OF THE UNITED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES DELEGATING EXPANDED AUTHORITY TO
SUPERINTENDENT DURING PANDEMIC**

WHEREAS, the United Independent School District (“UISD”) has a substantial public interest to protect the health and safety of its students, staff and community;

WHEREAS, on March 13, 2020, Texas Governor Abbott declared a State of Disaster in Texas due to the COVID-19 pandemic and issued a proclamation certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in Texas;

WHEREAS, UISD 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 the COVID-19 pandemic;

WHEREAS, the Board of Trustees for UISD finds there is a public purpose in retaining its employees; reducing turnover; increasing morale; helping employees focus on work-related matters while performing essential duties on behalf of the school district; and facilitating the return to duty of employees upon the re-opening of the school district’s facilities;

WHEREAS, in the event school facilities are damaged or undergo operational failures as a result of an unforeseen catastrophe or emergency, Section 44.031(h) of the Texas Education Code authorizes the Board of Trustees to determine that the delays posed by competitive procurement laws would prevent or substantially impair the conduct of classes or other essential school activities;

WHEREAS, the UNITED ISD Board of Trustees has determined that the COVID-19 pandemic has led to the unforeseen closure of school district campuses to students, and that in the event school facilities are damaged or undergo operational failures as a result of an unforeseen catastrophe, or emergency, including any emergency related to COVID-19, that would prevent or impair the conduct of classes or other essential school activities, the Board acknowledges that the delay posed by the procurement methods provided for in Texas Education Code Section 44.031(a) would prevent or substantially impair the conduct of classes or other essential school activities so that contracts for goods and services needed to maintain, restore or replace traditional classroom facilities and instructional equipment and supplies with alternative goods and services should be made by methods other than those required by Section 44.031(a) of the Texas Education Code, including, but not limited, to the acquisition of resources necessary to implement remote operations and instruction in compliance with the Governor’s Executive Orders;

WHEREAS, on April 17, 2020, Governor Abbott issued Executive Order GA-16 and ordered schools to remain temporarily closed to in-person classroom attendance by students and not recommence before the end of the 2019-2020 school year;

WHEREAS, over the coming weeks, the emergency purchase of goods and services will be necessary to maintain and restore proper supplies and equipment to UISD facilities, property and equipment in order to re-open district facilities and to protect the health and safety of UISD students and staff.

WHEREAS, the UISD Board of Trustees finds the public purposes described above are fulfilled by efficiently and effectively making certain delegations 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, and community.

IT IS THEREFORE RESOLVED THAT the Board of Trustees of United Independent School District in protecting the health, and safety of its students, staff, and community and therefore in ensuring that the school district and its community are prepared to the fullest extent possible to protect the health and safety of its students, staff, and community in light of the COVID-19 pandemic.

In furtherance of the public purposes stated in this Resolution, the United ISD Board of Trustees makes the following delegations to the Superintendent in order to efficiently and effectively prepare the school district in response to the declarations of emergency announced by federal, state and local jurisdictions, and in preparation of any future declarations related to the COVID-19 pandemic by such jurisdictions:

1. The authority to act in place of the Board under DEA (LOCAL) and make all decisions regarding payment of employees; to implement the provisions of Board Policy DEA (LOCAL); and to make determinations regarding the purpose and parameters of any such payments, consistent with state and federal laws;
2. The authority to make decisions regarding the compensation of at-will employees, including providing premium payments to such employees during the emergency closure;
3. The authority to act in the place of the Board under Board Policy DC (LOCAL) and make all decisions regarding the selection and employment of all personnel, including contractual personnel;
4. The authority to alter the UISD 2019-2020 school calendar by changing and/or adding school/instructional hours and work/school days as necessitated by the emergency closure;
5. The authority to create guidelines and make determinations regarding absences, leave time, leave days, and compensation of any employee who is quarantined as a result of COVID-19 and/or who tests positive for COVID-19 and who presents appropriate medical documentation regarding themselves, and/or immediate family member, in the sole discretion of the Superintendent, in compliance with state and federal laws;
6. 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 emergency closure as a part of this Resolution;
7. The authority to procure, negotiate, and execute contracts for goods and services, including such procurements and purchases that are over \$50,000, that are necessary to mitigate, prevent, restore, and repair damage caused to UISD equipment, property, and facilities, or to protect the safety and continuity of operations for UISD students and staff; and
8. In the event other waivers or immediate action is needed, the Superintendent is authorized to take other action to submit/apply for other waivers in accordance with guidance and

instructions from national and state authorities, including but not limited to the Texas Education Agency.

BE IT FURTHER RESOLVED, the authority given in this Resolution is retroactive to March 23, 2020, and any acts referred to which were performed prior to the adoption of this Resolution are ratified and affirmed.

The Superintendent will provide timely and reasonable information to the Board of Trustees regarding decisions made pursuant to this Resolution at the Board's next regularly scheduled meeting.

This Resolution shall remain in effect until rescinded or amended by Board Action at a duly-called Board meeting.

Passed the _____ day of April, 2020. This Resolution may be signed electronically and in counterparts.

Ramiro Veliz, III
President, Board of Trustees
United Independent School District

Attest: _____
Ricardo "Rick" Rodriguez
Secretary, Board of Trustees
United Independent School District