

**RESOLUTION OF THE
BOARD OF TRUSTEES OF
LEVELLAND INDEPENDENT SCHOOL DISTRICT
REGARDING
DESIGNATION OF “NONBUSINESS DAYS” FOR 2026**

At a lawfully called meeting on August 20, 2025, the Levelland Independent School District (the “District”) Board of Trustees (the “Board”) does hereby make the following Resolution regarding the District’s designation of its ten (10) “nonbusiness days” for the 2026 calendar year in accordance with the Chapter 552 of the Texas Government Code, the Texas Public Information Act (the “TPIA” or the “Act”).

WHEREAS, the TPIA refers to the term “business days” throughout the Act; and,

WHEREAS, prior to the 88th Legislative Session, the TPIA did not define the term “business days”; and,

WHEREAS, historically, the Office of the Texas Attorney General has consistently provided guidance based on its interpretation of the term “business days,” instructing governmental entities to “not count Saturdays, Sundays, and *any other day a governmental body is closed* or operating with a skeleton crew;”¹ and,

WHEREAS, on or about November 22, 2022, the Third District Texas Court of Appeals in Austin issued opinion, *TCEQ v. Sierra Club*, 2022 WL 17096693 (Tex. App.—Austin, 2022) and concluded that the term “business day” excludes Saturdays, Sundays, and legal holidays, but *does include* days that a governmental entity decides to “close” its office(s) in extended observance of a national holiday; and

WHEREAS, in efforts to provide clarity regarding the term “business days” in the TPIA, the 88th Legislature passed, and Governor Abbott signed into law, House Bill 3033, effective September 1, 2023; and,

WHEREAS, House Bill 3033 added Section 552.0031 to TPIA, defining “business day” to mean “a day other than: (1) a Saturday or Sunday; (2) a national holiday under Section 662.003(a) [of the Texas Government Code]; or (3) a state holiday under Section 662.003(b) [of the Texas Government Code]”; and,

WHEREAS, under Section 552.0031, the fact that an employee works from an alternative work site does not affect whether a day is considered a business day; and,

¹ See Texas Attorney General Website, available on August 24, 2023, at <https://www.texasattorneygeneral.gov/sites/default/files/files/divisions/open-government/conference/12-3PracticalTipsTo-DoList.pdf>, and the Public Information Act Handbook 2022, pg. 42, at https://www.texasattorneygeneral.gov/sites/default/files/files/divisions/open-government/publicinfo_hb.pdf.

WHEREAS, under Section 552.0031, an optional holiday under Section 662.003(c) of the Texas Government Code is not a governmental body business day if the officer for public information of the District observes the optional holiday; and,

WHEREAS, under Section 552.0031, the Friday before or Monday after a national holiday under Section 662.003(a), or a state holiday under Section 662.003(b), is not a business day if the holiday occurs on a Saturday or Sunday and the District observes the holiday on that Friday or Monday; and,

WHEREAS, the District may designate a day on which the District's administrative offices are closed or operating with minimum staffing as a nonbusiness day under Section 552.0031; and,

WHEREAS, the designation of a nonbusiness day for an independent school district must be made by the Board under Section 552.0031; and,

WHEREAS, the District may designate not more than 10 nonbusiness days each calendar year under Section 552.0031; and,

WHEREAS, the Board has determined that all 10 nonbusiness days shall be designated this calendar year.

NOW THEREFORE BE IT RESOLVED, that the recitals contained in the Resolution are true and correct and are adopted as findings of fact and operative provisions hereof; and,

BE IT FURTHER RESOLVED, that the Board determines that the following days be designated as nonbusiness days for purposes of Section 552.0031 of the Act:

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|-----------------------------|------------------------------|
| 1. January 2, 2026 | 6. December 21, 2026 |
| 2. March 19, 2026 | 7. December 22, 2026 |
| 3. March 20, 2026 | 8. December 23, 2026 |
| 4. November 25, 2026 | 9. December 24, 2026 |
| 5. November 27, 2026 | 10. December 28, 2026 |

PASSED AND APPROVED by the Levelland Independent School District Board of Trustees this August 20, 2026.

President, Board of Trustees

Attest:

Secretary, Board of Trustees