

RESOLUTION OF THE BOARD OF TRUSTEES OF THE DENTON INDEPENDENT SCHOOL DISTRICT REGARDING DELEGATION OF AUTHORITY DURING THE COVID-19 EMERGENCY

WHEREAS, the Denton Independent School District Board of Trustees (Board) recognizes that officials in Denton County and the United States have declared an emergency regarding the potential spread of coronavirus/COVID-19 (hereafter “COVID-19”) and that the territory included in Denton Independent School District is within the areas where an emergency has been declared;

WHEREAS, on March 13, 2020, the Governor of the State of Texas declared a statewide emergency, and, later that same day, the President of the United States declared a national emergency regarding COVID-19;

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 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, Denton ISD facilities, in alignment with the recommendations of health officials in order to best protect the health and safety of our community, will remain effectively closed for the foreseeable future for all purposes and whenever feasible all work of the District will be done remotely and conducted electronically;

WHEREAS, the Board seeks to retain its employees, reduce turnover, maintain equitable treatment of employees, decrease unemployment claim exposure, decrease medical claims, increase morale, help employees focus on work-related matters while at work, encouraging the safety of all employees and their children and family members, and facilitate the return to duty of employees if schools are closed and believes that an additional public purpose exists in doing so;

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 of the Denton Independent School District 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.

IT IS FURTHER RESOLVED THAT the Denton ISD is currently in a state of emergency and that the presiding officer of Denton ISD is of the opinion that a civil emergency exists. The presiding officer and Board of Trustees approves and consents for the Superintendent to provide mutual aid assistance if, after assessment of local resources, it is able to do so, in accordance with policy GRC(Legal); and

IT IS FURTHER RESOLVED THAT this resolution shall remain in effect until revoked by the Board of Trustees.

In furtherance of the public purposes so stated in this Resolution, the Board of Trustees of the Denton Independent School District makes the following delegations to the Superintendent and designee(s) in order to efficiently and effectively prepare the school district in response to the declarations of emergency announced by the County of Denton, State of Texas, and the United States as well as in preparation for the potential declarations of emergencies by other local, state, and/or national officials:

1. The authority to act in the place of the Board under Board Policy DEA(LOCAL) and thus make all decisions regarding payment of employees during an emergency closure, 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 make decisions regarding the compensation of exempt employees during an emergency closure, including premium payments to certain employees, and to implement those decisions;
3. The authority to alter the Denton 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;
4. 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 COVID19 and/or who tests positive for COVID-19 and who presents appropriate medical documentation regarding themselves and/or an immediate family member, in the sole discretion of the Superintendent or designee(s), 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 emergency closures 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;
7. The authority to procure, negotiate, and execute contracts for goods and services that are necessary to mitigate, prevent, restore, and repair damage caused to Denton ISD equipment, personal property, and facilities or to protect the safety of Denton Independent School District students and staff, given that the emergency of COVID-19 and its potential spread constitutes an unforeseen emergency/matter of urgent public necessity, and the delays posed by competitive procurement of contracts necessary to restore, replace, and/or repair equipment, personal property, and/or school facilities will prevent or substantially impair the conduct of classes or other essential school activities. In addition, the Board provides authority to approve any budgeted purchases for goods or services, under the same requirements and parameters outlined in CH (Local), except that any monetary limits are temporarily raised to \$250,000. It is understood that after purchases of the type referenced above are made, a purchase order should be issued after the fact as soon as practicable, and the Board of Trustees will be notified of such purchases as soon as practical and at least bi-monthly;
8. In the event other waivers or immediate action is 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;
9. The authority to hire any contractual personnel, including classroom teachers and administrators, and thereafter inform the Board of any persons offered a contract under this authority;

10. The authority to negotiate and execute interlocal agreements that are reasonable and necessary to achieve a public purpose of the Denton ISD as described in this Resolution, in connection with the COVID-19 emergency, subject to ratification by the Board;

11. The authority to accept any and all gifts, donations, and emergency assistance, whether it be solicited or unsolicited, from another local government, entity, or individual;

12. The authority to act outside any and all local requirements and timelines relating to employee evaluations; and,

13. The authority to act outside any and all policies relating to grading, report cards, and other traditional instructional parameters.

PRESENTED and passed this 24th day of March 2020, by a vote of ___ Ayes and ___ Nays by the Board of Trustees of the Denton ISD.

Denton ISD Board of Trustees
