

**RESOLUTION OF THE SAN ELIZARIO INDEPENDENT SCHOOL DISTRICT
BOARD REGARDING EMPLOYEE COMPENSATION
FOLLOWING EMERGENCY CLOSURE (Delay) RELATED TO DANGEROUS
WEATHER**

WHEREAS, the San Elizario Independent School District (“District”) is a public school district located in El Paso County, Texas;

WHEREAS, on January 09 and 10, 2025, the National Weather Service (NWS) issued a hazardous weather alert affecting several counties in Texas, including El Paso County, based on the possibility of snow, freezing temperatures, and high wind gusts;

WHEREAS, the winter weather advisory posed potential slippery road conditions, hazardous conditions for Thursday and Friday morning, including evening commutes, and gusty winds to the San Elizario Independent School District community;

WHEREAS, the District’s Board of Trustees (“Board”) finds that the weather, as stated in the NWS alert created a dangerous situation for the District’s students, staff, and community traveling to school and work on January 09 and 10, 2025 ;

WHEREAS, the District's Superintendent is authorized by Policy EB (Local) to close schools for reasons related to public health and safety; and

WHEREAS, on January 09 and 10, 2025, the Superintendent delayed the SEISD start times, in consideration of students, staff, and community safety (hereinafter the District's "Emergency Closure"); and

WHEREAS, the Board has a substantial interest in protecting the safety of the District’s students, staff, and community, and finds that an emergency need exists to delay district start times; and

WHEREAS, the Board acknowledges that during the Emergency Closure, most District employees are instructed not to report for work; and

WHEREAS, the Board finds that a need exists to address wage payments for nonexempt employees and those required to work during the District's Emergency Closure; and

WHEREAS, the Board determines that employees who are instructed not to report to work due to the 90 minute delayed start may suffer a loss of pay; and

WHEREAS, the Board concludes that compensation or wage payments to nonexempt District employees affected by the delayed start, and on the District's payroll during the Emergency Closure, who would otherwise suffer a loss in pay due to the District's Emergency Closure, serves the public purposes of maintaining public safety, maintaining morale, and reducing turnover; and

WHEREAS, the Board further concludes that nonexempt essential employees on the auxiliary pay scale who are called in to work during the Emergency Closure may require certain employees to be compensated at a premium rate, as provided at DEA (LOCAL) (the “Premium Rate”), which serves the public purposes of maintaining morale, providing equity to employees who provide auxiliary or emergency-related services during or before the Emergency Closure, and further recognizes the services of essential staff; and

WHEREAS, pursuant to District policy, nonexempt essential employees who were called in to work on January 09 and 10, 2025, during the Emergency Closure must still obtain prior approval from their supervisor before working more than 40 hours in any given week during the Emergency Closure (“overtime hours”); and

WHEREAS, any overtime hours actually worked in excess of 40 hours in any given week during the Emergency Closure shall be paid and calculated in accordance with District policy and in conformance with the Federal Labor Standards Act; and

WHEREAS, certain employees were instructed not to work during the District’s Emergency Closure; and

WHEREAS, certain employees were called on January 09 and 10, 2025, and reported to work to provide auxiliary services before or during the District’s Emergency Closure; and

WHEREAS, the Board of Trustees will consider the financial burden on the District related to the Emergency Closure and limit the Premium Pay to January 09 and 10, 2025; and

WHEREAS, the District has always been and will remain committed to providing the best possible educational opportunities for its students while at the same time keeping all District staff safe and being good stewards of its resources;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the San Elizario Independent School District authorizes wage compensation to nonexempt employees as a result of the Emergency Closure on January 09 and 10, 2025

BE IT FURTHER RESOLVED, that nonexempt essential employees covered by Policy DEA (Local) who were required to work on January 09 and 10, 2025, shall be paid at the Premium Rate described by said policy as of the date this Resolution is approved by the Board of Trustees. There shall be no Premium Pay paid to any employee from the date this Resolution is adopted.

BE IT FURTHER RESOLVED that in furtherance of these public purposes and this Resolution, the Board makes the following delegations to the Superintendent:

1. The authority to create administrative procedures to further the implementation and purposes of this resolution.

The authority granted by this resolution to continue scheduled wage payments for affected nonexempt employees and to pay a premium rate to nonexempt employees who provide auxiliary or emergency-related services on January 09 and 10, 2025 and during the District's Emergency Closure on January 09 and 10, 2025 is effective for, and limited to, January 09 and 10, 2025 and the District's Emergency Closure on January 09 and 10, 2025, as declared by the Superintendent on January 09, 2025, unless the Board takes subsequent action to authorize payment for a longer duration.

Adopted this ____ (date) day of _____ (month), ____ (year), by the Board of Trustees.

Eduardo Chavez
SEISD Board President

SEISD Board Secretary

Dr. Jeannie Meza-Chavez
SEISD Superintendent

Approved as to form:

Juan J. Cruz
JCA LAW, PLLC
General Counsel for San Elizario Independent School District