

**Notice of Public Budget Hearing
The Board of Trustees
Fort Bend Independent School District**

Monday, March 8, 2021

Notice is hereby given that a Board of Trustees Public Budget Hearing will be held on Monday, March 8, 2021, beginning at 6:00 PM in the Event Center of the James Reese Career and Technical Center, 12300 University Blvd., Sugar Land, TX 77479. Members of the public may also register to

address the Board at the following address:

<https://www.fortbendisd.com/cms/lib/TX01917858/Centricity/Domain/83/New%20Agenda%20Review%20Address%20Form%201-12-21.pdf>. Requests to address the Board must be submitted no later than 4:30 p.m. on the day of the meeting. It is the Board of Trustees' intent that a quorum of the Board of Trustees will be physically present at this location, although one or more Trustees may participate via video conference. The agenda packet for the meeting can be found here: <https://meetings.boardbook.org/Public/Organization/649>.

1. Call to order at 6:00 PM with announcement by the chair as to the presence of a quorum, that the meeting has been duly called and that notice of the meeting has been posted for the time and manner required by law
2. Audience Responses to Agenda Items Posted for this Meeting
3. Information
 - A. Board Governance
 1. Update on Governor Abbott's Rescission of State-Wide COVID-19 Restrictions 3
4. Convene in closed session under Texas Open Meetings Act, Texas Government Code, Chapter 551 under the following sections: 551.071 - For the purpose of a private consultation with the Board's attorney on any or all subjects or matters authorized by law; Section 551.072 - Consider purchase, exchange, lease, or value of real property, Section 551.074 - Personnel matters, Section 551.076 - Security matters, Section 551.082 - Student discipline matter or complaint, or Section 551.0821 - Personally identifiable information about public school student
5. Reconvene in Open Session
6. Consider Action on Closed Session Items
7. Action
 - A. Board Goal 1: Fort Bend ISD will provide an equitable learning environment that provides all students access to the FBISD curriculum
 1. Consider Approval of a Missed School Day Waiver for Five Days and a Waiver for Three Days of Remote, Online Instruction as a Result of the February 2021 Winter Storm 6
8. Team Building, Collaboration, and Planning
9. Adjournment

The following Fort Bend ISD Goals may be referenced in agenda items included in this document:

- Goal 1: Fort Bend ISD will provide an equitable learning environment that provides all students access to the FBISD curriculum.
- Goal 2: Fort Bend ISD will ensure students own and are responsible for their learning, behavior, and progress through the FBISD curriculum.
- Goal 3: Fort Bend ISD will provide an inclusive, collaborative, and fluid learning environment with opportunities for both risk-taking and success.
- Goal 4: Fort Bend ISD will develop students' social-emotional, academic, literacy, language, and life skills in a robust Collaborative Community at every school.
- Goal 5: Fort Bend ISD will develop an organizational culture that embraces care, respect, safety, and inclusion.

For: Fort Bend ISD Board of Trustees
Date: March 8, 2021
Action: Information: Update on Governor Abbott's Rescission of State-Wide COVID-19 Restrictions
References: Board Governance
Department: Superintendent

Summary

On March 2, 2021, Texas Governor Greg Abbott issued an Executive Order lifting the mask mandate related to the COVID-19 Pandemic. Considering the Governor's announcement, the Texas Education Agency (TEA) published updated guidance regarding masks and face-coverings in schools. The University Interscholastic League (UIL) has also published updated guidance.

In general, neither the updated TEA nor UIL guidance include substantive changes from what was previously in place. Both indicate that students, teachers, or staff shall wear a mask when inside school facilities. However, TEA guidance has been updated to include a clause that permits the governing board of a school system to modify or eliminate mask-related requirements by formal action. The UIL guidelines also include this provision.

At this time, the Administration intends to maintain all current health and safety protocols based on the guidance of the District's medical advisor and out of an abundance of caution to protect and maintain stability for District staff and students. It is also the Administration's recommendation that the Board of Trustees should not take formal action to modify or eliminate mask-related requirements.

The Administration will work with our medical advisor to reevaluate health and safety protocols at the conclusion of this school year in preparation for the 2021-22 school year. Staff will consider updated information regarding the spread of COVID-19, availability and number of citizens vaccinated, and any updated guidance provided by the Center for Disease Control and TEA.

Recommended by:

Charles E. Dupre
Superintendent of Schools

Note: Extracted language from the Texas Education Code Public Health Guidance for School Year 2020-21 is attached.

Health and Hygiene Practices: Masks

1. *For the purposes of this document, masks include non-medical and medical grade disposable face masks and cloth face coverings (over the nose and mouth). Full-face shields may be used in place of a mask to protect eyes, nose, and mouth whenever a mask is not feasible or whenever the education context may benefit from the ability to see an individual's full face.*
2. *Schools must comply with the following requirements:*
 - a. *Every student, teacher, or staff member shall wear a mask over the nose and mouth when inside a school building, school facility, facility used for school activities, or when in an indoor space on school property or used for school activities, wherever it is not feasible to maintain six feet of social distancing from another person not in the same household; provided, however, that this mask requirement does not apply to the following:*
 - *Any person younger than 10 years of age, except where a school system determines it is developmentally appropriate;*
 - *Any person with a medical condition or disability that prevents wearing a mask;*
 - *Any person while the person is consuming food or drink, or is seated in a dining area to eat or drink;*
 - *Any person while the person is: (a) exercising outdoors or engaging in physical activity outdoors; and (b) maintaining a safe distance from other people not in the same household; or*
 - *Any person while the person is giving a speech for a broadcast or to an audience.*
 - b. *The above mask-wearing requirements do not apply to any school system that was exempted from the face covering requirements of Executive Order GA-29 during its effect due to a county judge attestation filed with the Texas Division of Emergency Management.*
 - c. *The governing board of a school system may modify or eliminate, by formal action, the above mask-related requirements.*
3. *In addition to the mask-wearing requirements listed above, school systems may require the use of masks or face shields for adults or students for whom it is developmentally appropriate.*
4. *It may be impractical for students to wear masks or face shields while participating in some non-UIL athletic or other extracurricular activities. In situations where masks are required by this guidance and when it is impractical for students to wear masks or face shields during those activities, schools must require students, teachers, staff, and visitors to wear masks or face shields when entering and exiting facilities and practice areas and when not actively engaging in those activities.*

Schools may, for example, allow students who are actively exercising to remove masks or face shields, as long as they maintain at least six feet of distance from other students, teachers, and staff who are not wearing masks or face shields. However, schools must require students, teachers, and staff to wear masks or face shields as they arrange themselves in positions that will allow them to maintain safe distancing.

For: Fort Bend ISD Board of Trustees
Date: March 8, 2021
Action: Action: Approve Waivers for School Closing
References: Board Policy EB (Legal) District Goal 1
Department: Human Resources and Organizational Transformation

Recommendation

Consideration and possible approval of a Missed School Day Waiver for five days and another waiver for three days of remote, online instruction that support proposed adjustments to the 2020-21 school calendar to account for missed operational minutes.

Summary

The Texas Education Agency (TEA) requires that school districts provide 75,600 operational minutes including any applicable waivers. Operational minutes encompass the time from the first school bell to the last school bell. Currently, the total operational minutes in FBISD for one school day is 435 minutes. Additionally, the TEA requires Districts to maintain a bank of minutes to support any school closures due to inclement weather. Once the bank of minutes is exhausted, a District must either add student days, add minutes to the school day, or apply for any allowable waivers.

Prior to the inclement weather event in February 2021, FBISD closed for two full days due to weather in August 2020. This closure subtracted a total of 870 minutes from the bank of minutes and left a minimum of one-half day surplus minutes at all levels as shown in the chart below.

School Level	Initial Bank of Operational Minutes	Minutes Used August 2020 (2-day closure)	Minutes Remaining in Bank (> ½ day)
Elementary	1110	870	240
Middle School	1230	870	360
High School	1130	870	260

Recently, due to the inclement weather in February 2021, FBISD did not provide face-to-face instruction for a total of nine days as outlined below.

- **Days 1–5: District Closure:** Due to the severe weather event, FBISD closed completely for five operational days from February 16-19 and on February 22.
- **Day 6: Staff Workday:** February 23 was designated as a workday for FBISD staff members, as preparations were made for the District pivot to remote, online instruction that would occur for the remainder of the week.
- **Days 7–9: Remote, Online Instruction:** Students engaged in remote, synchronous instruction from February 24-26 due to severe impacts of the storm.

Staff reviewed instructional and student achievement implications, TEA waiver options for recovery of operational minutes, Board policy DEA (Local), which outlines compensation and benefits, in order to make a recommendation to the Board of Trustees.

The District acknowledges that the recommended option does not recover the operational minutes equivalent to six instructional days for students and will have achievement implications; however, given the level of stress felt throughout the organization, most notably at the campus and classroom level, we do not believe it will be productive to attempt to make up the missed school days. The Administration considered the stress and trauma that many students, staff and families experienced during the COVID-19 Pandemic and the recent winter storm, and felt the addition of operational minutes equivalent to six days to the 2020-21 calendar would contribute to further stress and frustration.

Staff is currently analyzing the curricular scope and sequence documents to ensure that teachers can still address the instructional material and TEKS by June 3, 2021. Additionally, the design of summer programming is underway to address literacy and numeracy gaps in elementary and all core content areas in secondary. The summer programs will target specific skill development based on learning needs as well as credit recovery options.

Efforts have also been made at each campus to bring identified students back to the face-to-face environment to increase student success and achievement. As of March 1, 2021, 1,692 students who were participating in online education and were also identified as having significant gaps, have been invited back to face-to-face learning.

As the District continues to respond to the needs of our students and staff, collaborations with partnerships for learning and research will be leveraged in order to collect and consider best practices for gap analysis, skill recovery, and instructional organization during and after times of academic disruption and stress.

TEA Waiver Options

The TEA has provided two waivers that school districts may utilize to account for the loss of operational minutes including the decision to pivot to remote, online instruction during this period of time. Both waivers require the approval of the Board of Trustees.

Missed School Day Waiver

Permits districts to **close completely** due to continued infrastructure issues because of outages and the related impacts that prevented the district from offering remote instruction. TEA requires districts who wish to submit the Missed School Day Waiver Application do so via TEA login (TEAL) with supporting documentation, following the closure event.

Other Waiver

Permits districts that continued to experience infrastructure outages and its related impacts to **pivot the district to 100% remote, online instruction**. TEA requires that districts who wish to submit the “Other Waiver” Application do so via TEAL to claim full-day minutes for any remote day.

Board Policy

Policy DEA (Local) addresses pay for employees during an emergency closure. This policy authorizes the Superintendent to grant pay for all employees during a school closure for up to one week. During the period of February 16–22 (five days), FBISD communicated to employees that they would continue to receive pay during the school closure.

As a result, if FBISD determines to make up operational minutes by adding days onto the school year, it will cost the District \$2,180,000 per day that is scheduled for makeup.

Multiple options were reviewed to ensure a path forward that supports staff and students.

Option 1 (Recommended)

- Submit **Missed School Day Waiver** for five days’ school closure from February 16-19, 2021 and February 22, 2021.
- Submit **Other Waiver** for three remote, online instruction days from February 24, 2021 through February 26, 2021.

This leaves one full day, February 23, 2021, to make up 435 operational minutes.

- Apply existing bank of minutes for one-half day (2/23)
- Makeup one half day (2/23) by adjusting one day at the end of the year to a full day instead of early release. Secondary would have a full day on June 2 and elementary would have a full day on June 3, 2021.

Pros: This option does not extend the school year, add additional minutes to the employee workday, or adjust contract days, making it the least disruptive to students and families. It allows exams to be spread out with breaks on the designated full days. There is no budget impact.

Cons: It ends school with a full day for elementary, which is not customary and only allows for one early release day for secondary exams. This option also results in a loss of operational minutes equivalent to five instructional days for students and adjustments to the curriculum.

Option 2

- Submit **Missed School Day Waiver** for five days' school closure from February 16-19, 2021 and February 22, 2021.
- Submit **Other Waiver** for three remote, online instruction days from February 24, 2021 through February 26, 2021.

This leaves one full day, February 23, 2021, to make up 435 operational minutes.

- Make up one half day (2/23) by using existing bank of minutes.
- Makeup one half day (2/23) by adding five minutes to the end of the school day for the remainder of the school year.

Pros: This option does not extend the school year or adjust contract days. There is no budget impact.

Cons: This option increases the staff workday by five minutes. The length of time added to the school day would not be significant enough to impact learning and could be disruptive to all student schedules. This option also results in a loss of operational minutes equivalent to 5.5 instructional days for students and adjustments to the curriculum.

Option 3

- Submit **Missed School Day Waiver** for five days' school closure from February 16-19, 2021 and February 22, 2021.
- Submit **Other Waiver** for three remote, online instruction days from February 24, 2021 through February 26, 2021.

This leaves one full day, February 23, 2021, to make up 435 operational minutes.

- Make up one day (2/23) by adding a day to the school calendar.

Pros: This option would recover one instructional day for students. This option will retain approximately one-half day of minutes in the bank of minutes.

Cons: This would be the second time during this school year to change the calendar, which would be very disruptive to students and families. The day would be added at the end of the school year, which has already been extended once. Additionally, adding one school day would have a budget impact of \$2,180,000, which includes General Funds and Special Revenue Funds due to the additional contract day for staff. This option also results in a loss of operational minutes equivalent to five instructional days for students and adjustments to the curriculum.

Option 4

- Submit **Other Waiver** for three remote, online instruction days from February 24, 2021 through February 26, 2021.
- Make up the remaining six days of instruction, February 16-19, 2021, and February 22-23, 2021, by adding days at the end of the school year.

Pros: This option would recover six instructional days for students.

Cons: This would be the second time during this school year to change the calendar, which would be very disruptive to students and families. The days would be added the end of the year, which has already been extended once. Additionally, adding six school days would have a budget impact of \$13,080,000 which includes General Funds and Special Revenue Funds due to the additional contract day for staff. Extending the school year beyond June 3, will also impact the planned summer intervention programs designed for students needing targeted support.

After reviewing available options, the Administration recommends Option 1. This option meets all TEA requirements regarding operational minutes and is in the best interest of students and families in FBISD.

If this option is approved, the bank of minutes will be depleted, and any future school closures will be subject to TEA allocated waivers or adding days to the school year. The chart below details each day and the corresponding explanation to address lost operational minutes.

Day	Date	Event	Minutes Allocated	Explanation to Address Lost Minutes
Wednesday	August 26, 2020	Anticipating Hurricane Laura	435	Used Bank of Minutes
Thursday	August 27, 2020	Anticipating Hurricane Laura	435	Used Bank of Minutes
Monday	February 15, 2021	Pre-scheduled FBISD Holiday	0	Non-instructional day
Tuesday	February 16, 2021	District Closure due to Inclement, arctic weather	435	TEA Missed Day Waiver
Wednesday	February 17, 2021	District Closure due to Inclement, arctic weather	435	TEA Missed Day Waiver
Thursday	February 18, 2021	District Closure due to Inclement, arctic weather	435	TEA Missed Day Waiver
Friday	February 19, 2021	District Closure due to Inclement, arctic weather	435	TEA Missed Day Waiver
Monday	February 22, 2021	District Closure due to Inclement, arctic weather	435	TEA Missed Day Waiver
Tuesday	February 23, 2021	Student non-instructional day, Staff Workday	435	Option 1 (use remaining minutes, add ½ day to school calendar)
Wednesday	February 24, 2021	District pivot Remote, online instruction	435	TEA Other Waiver
Thursday	February 25, 2021	District pivot Remote, online instruction	435	TEA Other Waiver
Friday	February 26, 2021	District pivot Remote, online instruction	435	TEA Other Waiver

Recommended by:

Charles E. Dupre
Superintendent of Schools

Submitted by:

Gwyn Touchet
Chief Human Resources & Organizational Transformation Officer