

AGENDA OF SPECIAL MEETING

BOARD OF TRUSTEES

SANGER INDEPENDENT SCHOOL DISTRICT

August 3, 2020

6:00 PM

Notice is hereby given that a Special Meeting of the Board of Trustees of the Sanger Independent School District will be held August 3, 2020 beginning at 6:00 PM, Denton County Special Education Cooperative Building, 601 Elm St, Sanger, TX 76266-9635.

The subjects to be discussed or considered, or upon which any formal action may be taken, are as listed below. Items do not have to be taken in the same order as shown on the meeting notice.

Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

1. CALL TO ORDER

2. INVOCATION

3. PUBLIC COMMENT

4. COMMUNITY INPUT: ACTION AGENDA ITEM

5. ACTION

A. Operation Connectivity Interlocal Acquisition with Region 4 Education Service Center for Technology Purchases

6. EXECUTIVE SESSION may be called for the purposes permitted in accordance with the Texas Open Meetings Act, Texas Government Code, Chapter 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open session.

A. Discuss & Consider Denton County Health Department Recommendation Regarding 20-21 Year

7. RECONVENE TO OPEN SESSION

A. Discuss & Consider Approval of Denton County Health Department Recommendation Regarding 20-21 School Year

8. ADJOURNMENT

If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the board will conduct a closed meeting in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551, subchapters D and E or Texas Government Code Section 418.183 (f). Before any closed meeting is convened, the presiding officer will

publicly identify the section of the Act authorizing the closed meeting. All final votes, actions, or decisions, will be taken in open meeting.

This notice was posted in compliance with the Texas Open Meetings Act on July 30, 2020 at 4 p.m.



Dr. Tommy Hunter, Superintendent



CALL TO ORDER



INVOCATION



PUBLIC COMMENT



Sanger Independent School District

601 Elm St., Sanger, Texas 76266

PUBLIC OPEN FORUM/COMMUNITY INPUT FORM

This form is used to register one’s desire to speak before the Sanger ISD Board of Trustees at a Regular Called Board Meeting. Please complete and submit this form to the Board Secretary prior to the beginning of the meeting.

You may address the Board:

- During Community Input for Issues NOT on the Posted Agenda
- During any Posted Action Agenda Item
- During any Public Hearing (this form is not necessary for Public Hearings)

All comments must be made to the Board as a whole, not to individuals. Comments will be limited to five (5) minutes, and each speaker will be allowed one opportunity to speak for each item requested. Your comments must be related to the issue when speaking during Action Agenda Items.

You may have your position recorded without speaking by checking and filling in the appropriate boxes below. If the information you have to present will exceed five (5) minutes, the Board recommends it to be submitted in writing to the Board Secretary for distribution to the Board.

Date: _____

Name: _____

Address: _____

Phone: _____ E-mail: _____

Community Input – Topic: _____

Action Agenda Item: #(s) _____

Comments: (Additional Comments Attached)



ACTION



Operation Connectivity Bulk Order Program

What is Operation Connectivity?

Operation Connectivity is a joint effort among Governor Greg Abbott, the Texas Legislature, and the Texas Education Agency (TEA) to connect Texas's 5.5 million public school students with a device and reliable internet connection. On July 17, 2020, the Governor [announced](#) the allocation of \$200 million in Coronavirus Aid, Relief, and Economic Security (CARES) Act funding to TEA for the purchase of eLearning devices and home internet solutions to enable remote learning during the COVID-19 pandemic for Texas students who lack connectivity. The program will provide matching funds for districts to facilitate purchases of necessary devices and hotspots. TEA, through Region 4 Education Service Center, has worked with vendors to secure reduced prices and timely delivery to Texas school districts through a bulk order program. Matching funds will be based on the number of economically disadvantaged students in a district. Districts may purchase necessary devices and hotspots through a new interlocal agreement with Region 4. More information about Operation Connectivity is available on the [TEA Website](#).

Why does the school board need to act quickly?

To take advantage of the Operation Connectivity bulk order program and the matching funds, a district must take certain actions and execute required documents in the next two weeks. For example, to place an order, a school district must sign the interlocal agreement by August 4. Thus, if your district wants to take advantage of this funding, the school board must meet soon.

What options does the school board have for calling a meeting on short notice?

- **Special meeting via videoconference or teleconference:** In accordance with your policy on board meetings at TASB Policy BE(LOCAL), your board can call a special meeting on 72 hours' notice. In accordance with the Governor's [order suspending portions of the Open Meetings Act](#), this meeting can be conducted by videoconference or teleconference. To facilitate the prompt posting of a meeting for this purpose, TASB Legal Services has prepared a [sample meeting agenda](#).
- **Emergency meeting or emergency addition to existing meeting agenda:** As described in TASB Legal Services' memo [Open Meetings Act – Meeting Notice](#), a board may call an emergency meeting or add an emergency item to a previously posted agenda with only one hour's notice in an emergency or when there is an urgent public necessity. An emergency or urgent public necessity exists only if the board must take immediate

action “because of: (1) an imminent threat to public health and safety, including a threat described by Subdivision (2) if imminent; or (2) a reasonably unforeseeable situation, including . . . (c) epidemic . . .” Tex. Gov’t Code § 551.045(b). If your board wishes to rely on the emergency exception, confirm this decision with your school attorney. Remember that you must clearly identify the emergency or urgent public necessity on the meeting notice or supplemental notice. Tex. Gov’t Code § 551.045(c).

Must we allow public participation at the meeting?

Yes, but you can limit public comment to the items on the posted agenda. See TASB Policy BED(LOCAL) and TASB Legal Services’ memo [Open Meetings Act – Public Comment](#).

What if the school board cannot call a meeting in time for the purchase order deadline?

If at all possible, a board should attempt to meet and take the necessary action to approve the interlocal agreement *before* the district places an order with Operation Connectivity. That said, if a superintendent takes the necessary steps on the board’s behalf and the board promptly ratifies the superintendent’s actions, the board’s ratification should be valid.

What actions must the school board take to participate in Operation Connectivity?

To participate in Operation Connectivity, school boards must approve the required interlocal agreement with Region 4.

To do this, the board may pass a motion such as, “I move that the board approve and enter into the Operation Connectivity Interlocal Acquisition Agreement and authorize the superintendent and other appropriate district personnel to take all necessary actions under such agreement.”

How does a school district enter an interlocal agreement?

Interlocal contracts (sometimes referred to as interlocal participation agreements) are governed by the Interlocal Cooperation Act, Texas Government Code Chapter 791, which serves to increase the efficiency and effectiveness of local governments by authorizing them to contract with other local governments or state agencies to perform governmental services or functions, including *administrative functions* such as purchasing. Tex. Gov’t Code §§ 791.001, .003(1), (3), .011, .025.

Under the Interlocal Cooperation Act, an interlocal contract must be **authorized by the governing body** of each party to the contract; state the purpose, terms, rights, and duties of the contracting parties; and specify that payments under the contract will be made from current revenues. Tex. Gov’t Code § 791.011(d) (emphasis added).

At the board's meeting, a board that wishes to place an order should vote to authorize the superintendent or appropriate designee to sign the interlocal agreement with Region 4 for technology purchases under Operation Connectivity. The Operation Connectivity interlocal contract is a new interlocal agreement, managed separately from Region 4's purchasing cooperative, known to many as TCPN. Prior participation in Region 4's purchasing cooperative does not satisfy the need to join the Operation Connectivity agreement.

Are the purchases subject to additional competitive purchasing requirements?

- **Interlocal contracts satisfy state law:** An interlocal contract is listed in Texas Education Code section 44.031(a) as a method by which a school district may procure goods and services valued at \$50,000 or more in the aggregate for each 12-month period. A local government that purchases goods or services under an interlocal contract satisfies the requirement to seek competitive bids for the purchase. Tex. Gov't Code § 791.025(c).
- **TEA has waived requirements under federal law:** Generally, procurement with federal funds is governed by the Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards at 2 C.F.R. 200 (often referred to as the Uniform Guidance). For federal funds administered by TEA, the Uniform Guidance is often referred to as EDGAR (Education Department General Administrative Regulations). Even where state procurement requirements have been satisfied, EDGAR sometimes imposes additional requirements beyond state law. As the state agency that administers this funding (often called the pass-through entity), TEA has expressly authorized a non-competitive procurement by districts for Region 4's products and services as permitted by 2 CFR 200.320(f)(3). Under 2 CFR 200.318(i), districts are permitted to enter into interlocal agreements for the procurement of goods and services. Additional steps have been taken by Region 4 to incorporate necessary contract provisions into the interlocal agreement and agreements with the participating vendors to ensure EDGAR compliance. Notwithstanding TEA's authorization, districts must take steps consistent with their normal cooperative purchasing practices to comply with additional EDGAR requirements.

This document is provided for educational purposes only and contains information to facilitate a general understanding of the law. It is not an exhaustive treatment of the law on this subject nor is it intended to substitute for the advice of an attorney. Consult with your own attorneys to apply these legal principles to specific fact situations.

OPERATION CONNECTIVITY INTERLOCAL ACQUISITION AGREEMENT

*Entered between Region 4 Education Service Center ("Region 4") and Local Education Agency ("LEA")
pursuant to Tex. Gov't Code, Chapter 791.*

Local education agency name: SANGER ISD, (061908)
County district number: 61908
Point of contact: Tommy Hunter
Date: July 29th, 2020

This Operation Connectivity Interlocal Acquisition Agreement ("Agreement") contains key information and terms regarding your LEA's participation in the Operation Connectivity bulk purchase process. The following addendums are incorporated into this Agreement:

1. State Funding Allocation Methodology Addendum *(attached)*
2. EDGAR Certification Addendum *(attached - to be executed by Region 4)*
3. Grant Program Guidelines *(attached)*
4. LEA Order Logistics Confirmation *(separate document)*
5. Additional Quantity Request *(separate document)*

Due the urgency required to maintain our position within our vendors' supply chain, **please submit the completed and signed copy of this Agreement [as well as your Additional Quantity Request Addendum] through DocuSign by COB Tuesday, August 4, 2020.** Should your LEA not be able to provide signed approval of this Agreement by this date, your order will unfortunately have to be cancelled, and this Agreement will automatically terminate without further action by the parties.

Below you will find your LEA's allocated quantities per provider / OEM ("Vendor") and model. These quantities are based on two inputs: 1) your LEA's requested quantities as included in your LEA's bulk order survey / form, 2) the total dollar value for which the state funding program is able to cover 50% of your LEA hotspot / device costs, as based on the state's allocation methodology (see State Funding Allocation Methodology Addendum).

Any change to the quantities allocated below must be requested by emailing customerservice@teabulkorder.com with your revisions. We will then review requested revisions and send you an updated Agreement. Please note that allocated quantities can only be decreased. Any proposed revisions to increase quantities for any Vendor or model will be rejected.

For quantity needs above what the state has allocated your LEA [capped at your LEA's *remaining quantity* as listed in your Additional Quantity Request Addendum], please include this in your LEA's Additional Quantity Request Addendum. If your submitted Additional Quantity Request Addendum is accepted, it will become a binding part of the Agreement. Your Additional Quantity Request Form must be submitted by Tuesday, August 4, 2020. Failure to submit by the deadline will result in your Additional Quantity Request Addendum being rejected.

Mobile broadband hotspots:

Vendor	AT&T	T-Mobile	Verizon
Data limit	Unlimited	Unlimited	Unlimited
Hotspot type	Category 4	Category 4	Category 4
Contract length	1 year	1 year	1 year
Warranty length	1 year	1 year	1 year

Device costs/unit	\$60	\$0	\$60
Monthly rate/unit	\$15	\$15	\$10
Asset tagging cost/unit	\$0	\$0	\$5
Custom CIPA filtering enablement monthly rate/unit	\$0	\$0	\$2
Total 1-year hotspot costs/unit	\$240	\$180	\$209
Original LEA quantity request (through bulk order survey)	0	0	0
Allocated quantity	0	0	0
Total hotspot order costs	\$0	\$0	\$0
LEA portion of hotspot order costs	\$0	\$0	\$0

Learning devices:

Vendor	Middle & elementary laptops			High school laptops		Chromebooks		iPad
	Dell	HP	Lenovo	Dell	HP	Dell	HP	Apple
Model number	3190	9ru44ut	100e	3410	PB11x360	3100 Chrome	1A764UT	iPad 7 th Generation
CPU processor	Celeron 4120	Celeron 4020	Celeron	I3	Pentium 5030	N/A	N/A	N/A
RAM	4 GB	4 GB	4 GB	4 GB	8 GB	4 GB	4 GB	N/A
Hard drive size	64 GB	64 GB	64 GB	500 GB	128 GB	16 GB	32 GB	32 GB
Screen size	11.6"	11.6"	11.6"	14"	11.6"	11.6"	11.6"	10.2"
Wi-Fi protocol	Standard	Standard	Standard	Standard	Standard	Standard	Standard	Standard
Touch Screen	No	Yes	No	No	Yes	No	Yes	Yes
Convert to tablet	No	Yes	No	No	Yes	No	No	Yes
External keyboard (Y/N)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Y
Warranty	1 year on-site	1 year mail in	1 year mail in	1 year on-site	1 year mail in	1 year on-site	1 year mail in	N/A
Additional features	Windows 10, custom tagging	Windows 10, custom tagging	Windows 10, custom tagging	Windows 10, custom tagging	Windows 10, custom tagging	Google license, custom tagging	Google license, custom tagging	iPadOS, custom engraving
Price	\$237	\$266	\$205	\$323	\$369	\$228	\$237	\$386
Original LEA quantity request (through bulk order survey)	0	0	0	0	0	0	0	475
Allocated quantity	0	0	0	0	0	0	0	475
Total device order costs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$183350
LEA portion of device order costs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$91675

Total costs:

Total hotspot order costs	\$0
Total device order costs	\$183350
LEA portion of hotspot order costs	\$0
LEA portion of device order costs	\$91675
Total order costs (hotspots and devices)	\$183350
Total LEA portion of order costs (hotspots and devices)	\$91675

Payment terms:

Payment for your LEA's portion of the order costs will be due immediately upon receipt of the order invoice that your LEA will be receiving via email. Please note that payment is required before hotspots / devices will be asset tagged and shipped to your LEA. Specific payment instructions will be provided with your issued invoice.

LEA orders will be tagged and shipped in the order in which invoice payment is received. Delay in payment will result in a delay of devices to your LEAs. Any LEA whose payment has not been received by Region 4 within 3 business days from the invoice date will have their order cancelled, resulting in an automatic termination of this Agreement. LEAs must provide a completed LEA Order Logistics Confirmation by Friday, August 7, 2020. Failure to complete and provide this confirmation timely may result in the delay or cancellation of your order and termination of this Agreement.

Matching Funds Allocation:Funding allocation:

You will find below your LEA's state matching award. This allocation is based on two inputs, 1) your LEA's requested quantities as included in your LEA's bulk order survey/form, 2) the state's allocation methodology (see State Funding Allocation Methodology Addendum).

Total state matching (hotspots and devices)	\$91675
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Please note that this amount includes only the 1:1 matching of the funds that are expected to be contributed by your LEA. By executing this Agreement, your LEA is committing to pay the amounts set forth herein.

Incorporation of Vendor Warranties and Terms/Disclaimer and Release of Region 4 Liability:

LEA ACKNOWLEDGES AND AGREES THAT ANY PRODUCTS OR SERVICES ACQUIRED THROUGH THIS AGREEMENT ARE SUBJECT TO ANY VENDORS' TERMS AND CONDITIONS ("VENDOR TERMS") PROVIDED SEPARATELY BY VENDOR TO LEA. THIS AGREEMENT SHALL CONTROL IN THE EVENT OF ANY CONFLICT WITH VENDOR TERMS. THE PROVISIONS OF ANY MANUFACTURER OR OTHER VENDOR WARRANTIES AND OBLIGATIONS UNDER THE VENDOR TERMS ARE HEREBY EXTENDED TO LEA. THE LEA'S EXCLUSIVE REMEDY FOR BREACH OF ANY SUCH WARRANTY OR OTHER VENDOR OBLIGATIONS RELATED TO THE PRODUCTS OR SERVICES WILL BE THE ENFORCEMENT OF ANY RIGHTS UNDER THE VENDOR TERMS. AND REGION 4 SHALL HAVE NO LIABILITY TO LEA RELATED TO SAME. THE LEA ACKNOWLEDGES AND AGREES AS A STRICT TERM OF THIS AGREEMENT THAT REGION 4 DOES NOT ASSUME BUT, RATHER, EXPRESSLY DISCLAIMS ALL WARRANTIES OR OTHER OBLIGATIONS SET FORTH IN THE VENDOR TERMS. AND REGION 4 DOES NOT MAKE AND EXPRESSLY DISCLAIMS ANY ADDITIONAL WARRANTIES, OBLIGATIONS OR LIABILITY IN CONNECTION WITH THE

PRODUCTS AND SERVICES. LEA HEREBY RELEASES REGION 4 FROM ALL LIABILITY RELATED TO THE VENDOR PRODUCTS AND SERVICES. LEA IS RESPONSIBLE FOR ENSURING COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS, INCLUDING THOSE RELATED TO PROCUREMENT.

Acknowledgement of Federal Funding:

The source of all matching funds pursuant to this Agreement are federal funds made available through the 2020-2021 Remote Learning Operation Connectivity-CV19 grant ("Grant") awarded to Region 4. All fund matches and other obligations under this Agreement for the acquisition of products or services are subject to appropriation of funds to Region 4. As such, if Region 4 does not receive sufficient Grant funding, Region 4 may immediately terminate this Agreement without penalty or further obligation to LEA upon written notice. This Agreement is further subject to and incorporates all terms of Region 4's Grant agreement with the TEA, including the Grant Program Guidelines issued by TEA related to the Grant, and LEA is subject to and agrees to follow any relevant terms set forth in the Grant Program Guidelines. The parties acknowledge and agree to follow all applicable federal, state and local laws, rules, ordinances and regulations related to the expenditure of the Grant funds ("Applicable Laws"). Region 4 specifically acknowledges and agrees to all applicable terms contained in the EDGAR Certification Addendum. All participating Vendors will be required to follow Applicable Laws, the applicable conditions in the Grant Program Guidelines and similarly will agree to applicable EDGAR certifications.

Execution:

This Agreement and the listed addendums and Vendor Terms constitute the entire agreement between the parties, and no part of the Agreement may be modified unless expressed in writing and signed by both parties. Neither party waives or relinquishes any immunity or defense that either party is entitled to by law. All payments made pursuant to this Agreement will be made from current revenues. Each party warrants that it has authority to enter into this Agreement and perform its obligations. The signatory below shall have authority to act on all matters related to this Agreement.

By signing below, the parties are binding themselves to the terms of this Agreement, subject only to any necessary approvals and actions by the parties' governing boards. By execution of this Agreement, the LEA gives Region 4 permission to move forward with purchasing the above quantity of hotspots and devices on the LEA's behalf.

For LEA

Tommy Hunter

(Printed name/title)

(Title)

[Redacted Signature]

(Signature)

(Date)

For Region 4 Education Service Center

Dr. Pamela Wells, Executive Director

[Redacted Signature]

(Signature)

(Date)



EXECUTIVE SESSION



Sanger Independent School District

601 Elm St., Sanger, Texas 76266

Denton County school districts review DCPH recommendation to begin with virtual learning.

Following a recommendation from Denton County health officials for county school districts to begin the school year virtually until Tuesday, Sept. 8, Sanger ISD is reviewing the matter and determining the best path forward for students and staff.

The Denton County Public Health Department issued the recommendation on Monday, July 27, and Denton County school districts are now evaluating its effects on instructional and extracurricular programs.

Leaders from the following Denton County school districts are collaborating to share how the recommendation affects their respective schools: Argyle ISD, Aubrey ISD, Carrollton- Farmers Branch ISD, Denton ISD, Krum ISD, Lake Dallas ISD, Lewisville ISD, Little Elm ISD, North Texas Colligate Academy (All Campuses), Pilot Point ISD, Ponder ISD, Westlake Academy and Sanger ISD.

Each school district will make its own decision separately based on the best interests of its community, and those decisions will be communicated directly to families by district leaders.

Denton County health officials recommended that school officials keep campuses closed through Monday, Sept. 7 and begin face-to-face instruction no sooner than Tuesday, Sept. 8. The county recommends districts to begin their school years virtually until that date.

Per Texas Education Agency guidelines, families can switch between two learning options – face-to-face or virtual – after the conclusion of each grading period.

Dr. Matt Richardson, director of the Denton County Public Health Department, said COVID-19 cases have continued to increase in the county and children can serve as transmission points for the virus. For the week of July 12, 15.5 percent of Denton County residents who were tested for COVID-19 received positive results, which is above the state average and the highest positivity rate for Denton County to date.

“DCPH remains a committed, available partner in preventing the spread of COVID-19 and is equally committed to assisting ISDs in returning to in-person learning,” the Denton County Public Health Department stated in a recent news release. “Our collective hope is to return to traditional education as soon as possible, with the knowledge that the global pandemic response will ultimately determine how ‘normalcy’ will return to our schools.”

Denton County school districts will continue to rely on the data and advice of local health experts going forward. For continued updates from the county, visit www.dentoncounty.gov/covid19. School districts will continue to communicate directly with families in the event of any updates.



**RECONVENE
TO OPEN
SESSION**



Sanger Independent School District

601 Elm St., Sanger, Texas 76266

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ADJOURNMENT