



WESLACO INDEPENDENT SCHOOL DISTRICT

319 W. Fourth Street
Weslaco, TX 78599-0266

Winners. **I**nnovators. **S**cholars. **D**oers.

EMERGENCY MEETING OF WESLACO ISD BOARD OF TRUSTEES

Place:
Location:
Date
Time:

WISD Board Room
319 W. Fourth Street
March 20, 2020
12:06 P.M.

MINUTES

- I. The meeting was called to order by Isidoro Nieto, Board President.
- II. A quorum was established. The following board members were present:

Isidoro Nieto, President
Dr. Richard Rivera, Vice President
Andrew Gonzalez, Secretary
Armando Cuellar, Trustee
Patrick Kennedy, Trustee
Erasmio Lopez, Trustee
Dr. Jaime Rodriguez, Trustee

Trustee Patrick Kennedy and Erasmo Lopez joined the meeting via video conferencing.

This meeting was held in compliance with the Texas Open Meetings Act and any Temporary Suspension of Laws therein as approved by Governor of the State of Texas to address COVID-19.

- III. Opening Prayer

Mr. Elias Trevino, Director of Assessment and Accountability Bilingual/ESL, delivered the invocation.

- IV. Public Comments

None

- V. Discussion Regarding Anticipated Impact of COVID-19 on Students, Staff and Community of the Weslaco ISD and Matters Incident Thereto

Superintendent Dr. Canales thanked cabinet members, directors, and principals for being available this week, either by phone or in person. She thanked the teachers for going in to work to ensure that their students continue to receive an education online while they are at home. She

commented, “It’s been a trying time for us. We are planning and trying to give a semblance of normality. We’re doing our absolute best.”

She thanked the Board for their support, for being available and responding to her calls and texts during this crisis.

Dr. Canales provided an update on COVID-19:

- On March 16, 2020, 57 cases of coronavirus were reported in the state of Texas, and by yesterday, the numbers were up to 154 confirmed cases.
- On March 19, 2020, Governor Abbot issued an order that included school closures through March 23 through April 3, 2020. A letter containing this information was sent to all districts on March 17.
- Currently there are four (4) cases in the Rio Grande Valley; three (3) are travel related and one (1), which is close to Laredo, is believed to be community spread.
- The CDC provided districts and the community with instructions on how to help slow down and stop the community spread of the virus.
 - ›Staff will continue to disseminate the information out to the community so that everyone can do their part in keeping self, families and others free from this virus.

As required by TEA, Dr. Canales and staff have been working with principals in planning for instructional continuity as follows:

- Working on google classrooms at secondary level and upper elementary grades
- Working on preparing instructional packets for students
 - ›Notices will be sent to parents to let them know when to pick up the packets. Times will be staggered to ensure there are not too many people in one location at the same time.
- Chrome books will be loaned out to students. A drive thru service will be set up for parents to pick up and sign out the chrome books.
- WEHS had secured extra hot points which will be given to WHS for students who do not have access to the internet.

Responses to board member inquiries regarding meals for students:

- Staff will be working on procedures for parents to pick up meals provided by the food service department. A daily package will consist of a breakfast and lunch meal to be picked up between the hours of 11:30 a.m. to 12:30 p.m. at the various locations:
 - ›Weslaco High School
 - ›Weslaco East High School
 - ›B. Garza Middle School
 - ›Margo Elementary School
 - ›Memorial Elementary School
 - ›North Bridge School
 - ›Ybarra Elementary School
 - ›Gibson Park & Sunrise Hill Park

Andrew Gonzalez asked staff to let the parents know what type of information would be needed when picking up meals, such as student I.D. etc.

Erasmus Lopez wanted to know if the students had to go to a specific location or could they go to a location closer to their home. Dr. Canales replied that TEA had a meal finder system where students could enter their zip code, and it will provide them the closest location. A letter will be sent to parents on Monday with all the information.

Patrick Kennedy requested that the information be forwarded to the board members so they could share it on social media. He wanted to know how students would access their classwork.

According to Dr. Canales, many students are now using google classrooms at the high school, middle school, and at the upper grade levels in elementary. Students who do not have technology at home will have the opportunity to check out a chrome book. Staggered times will be scheduled for students to pick up. In addition, parents will be asked to call the schools and make arrangements to pick up instructional packets as well.

Mr. Lopez asked Dr. Canales if she was aware of Spectrum offering free Wi-Fi to the public. Dr. Canales responded that Spectrum might be offering free Wi-Fi for two months. Staff will follow up with Spectrum. In the event that Spectrum does provide free wi-fi, Mr. Lopez requested that information be provided via social media, etc. so that students know what to do to acquire internet access.

Dr. Jaime Rodriguez thanked Dr. Canales for her leadership throughout this crisis. He wanted to know how the EOC (end of course) would affect graduation plans.

Dr. Canales pointed out that it was very important for all students to continue with their work and complete their instructional packets. She explained that a 9th grade student who is taking English I and Biology will receive credit if they pass their classes, and therefore be considered a passer for EOC this year. For seniors who have not passed three out of the five exams required, a meeting with the graduations committee will be held to review their grades, classes, and other factors, to make a determination on whether they will allow the student to graduate.

Andrew Gonzalez wanted to know if procedures for class ranking for seniors were in place in case the schools did not open again. Dr. Canales replied that the Board approved a policy on class ranking back in December. She mentioned that the teachers would need to save samples of the students' work and grades in case the district is audited by the federal government.

Dr. Rivera commented that security is very important during school closures that last for a long period, because many items usually get lost from the classrooms during these times. He suggested that staff set a time when teachers could go to their classrooms to pick up their materials, etc.

Board President Isidoro Nieto reminded the Board that only essential staff would be allowed to report to work. Thus, employees will need to follow CDC guidelines, which only allows a group of no more than ten people gather in one location at the same time. Dr. Canales reiterated that essential staff such as food service employees, custodians, and safety and security employees would need to be readily available in case they are needed. At the campus level, teachers are working remotely at home, and will continue to stay connected with the use of technology.

Mr. Lopez informed Dr. Canales and staff that the board members would be available to meet in case there is a need to schedule another emergency meeting.

VI. Discussion and Possible Action Regarding Changes to DEA (LOCAL): Employee Compensation and Benefits – Compensation Plan

Dr. Canales informed the Board that during an emergency closure, many hourly workers may be instructed not to report for work while other employees may be called upon to provide emergency or essential work services and will be paid at a premium rate of one and one-half times their regular rate of pay for all hours worked up to 40 hours per week. Overtime for time worked over 40 hours in a week shall be calculated and paid according to law.

Due to the school closure, Dr. Canales recommended that the Board approve the proposed changes to DEA (Local) – Premium Pay During Disasters as follows:

Nonexempt employees who are required to work during an emergency closing for a disaster, as declared by a federal, state or local official or the Board, shall be paid at the rate of one and one-half times their regular rate of pay for all hours worked up to 40 hours per week. Over time for time worked over 40 hours in a week shall be calculated and paid according to law. (See DEAB). The Superintendent or designees shall approve payments and ensure that accurate time records are kept of actual hours worked during emergency closings.

Dr. Canales explained that an hourly employee who is asked to report to work, and gets paid \$10.00 per hour would be paid at time and a half for a total of \$15.00 per hour for the time worked onsite.

Questions from board members:

Dr. Rodriguez wanted to know what process would be used for selecting employees to come in to work. He asked staff to make sure that different employees are called when needed, rather than calling the same individuals.

Dr. Canales informed the Board that food service employees will need to be at work to prepare breakfast and lunch meals for students. Custodial staff will also report to work to clean the campuses and facilities, as well as business office staff who will need to pay bills and work on payroll. In addition, the high schools might have to call a registrar to check on transcripts, etc. She will work with the directors and principals to ensure that they rotate the employees.

Dr. Rivera made the motion to approve the proposed changes to DEA (Local) as presented. Andrew Gonzalez seconded the motion.

Mr. Lopez wanted to know if employees who weren't working getting paid. Dr. Canales replied, "Yes".

Dr. Rivera asked for confirmation that every employee, teacher, and administrator were receiving their regular monthly check, and that contract personnel was not eligible for overtime, only hourly employees. Dr. Canales confirmed.

Mr. Lopez commented that there was no reason for overtime. If necessary, he asked staff to spread out the work to different individuals.

Dr. Rivera asked if the district had a policy in place that did not allow employees to seek employment elsewhere during the school closure. Legal counsel Ivan Perez informed the Board that there are provisions in place regarding moon lighting in the employee handbook; it is not in policy. An employee who seeks employment elsewhere has an obligation to notify the district and get approval. If an employee is in breach of contract, it would be an issue, which would be looked at on a case-by-case basis.

Dr. Rivera pointed out that many employees receive a stipend; therefore, he asked staff to study the option of paying these employees half or $\frac{3}{4}$ of their stipend in the event schools were to close for the remainder of the year. He would also like the Board to make the final call.

The Board voted unanimously in favor of the motion made by Dr. Rivera and seconded by Andrew Gonzalez to approve the proposed changes to DEA (Local) as presented.

VII. Discussion and Possible Action on Resolution to Address Measures for Protection and Well Being of Students, Staff and Community Arising out of COVID-19 Emergency

Superintendent Dr. Canales read the following resolution:

RESOLUTION OF THE BOARD OF TRUSTEES OF THE WESLACO INDEPENDENT SCHOOL DISTRICT REGARDING MEASURES FOR THE PROTECTION OF STUDENTS, STAFF AND COMMUNITY ARISING OUT OF COVID-19

WHEREAS, the United States' Center for Disease Control is responding to an outbreak of respiratory disease caused by the novel coronavirus ("COVID-19") that was first detected in China and which has now been detected in more than 100 locations internationally, including in the United States;

WHEREAS, COVID-19 is recognized globally as a contagious virus and spreads easily from person-to-person;

WHEREAS, the President of the United States Declared an Emergency under the federal Disaster Relief and Emergency Assistance Act due to COVID-19 on March 13, 2020;

WHEREAS, the Texas Governor Declared a State of Disaster due to COVID-19 on March 13, 2020;

WHEREAS, as a result of COVID-19 the Hidalgo County Judge issued a declaration of local state of disaster due to a public health emergency effective March 17, 2020;

WHEREAS, on March 19, 2020 the Texas Governor announced school closures state-wide until at least April 3, 2020;

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, the Board is authorized by Texas Education Code section 45.105 to expend funds of the Weslaco Independent School District for purposes necessary in the conduct of the public schools as determined by the Board;

WHEREAS, the Board acknowledges that during an emergency closure, many hourly workers may be instructed not to report for work while other employees may be called upon to provide emergency or essential work services;

WHEREAS, the Board finds that a need exists to address wage payments for employees who are idled and those hourly workers whose presence in the workplace is deemed essential during this time;

WHEREAS, the Board determines that hourly employees who are instructed not to report to work may suffer a loss of pay if the District is closed;

WHEREAS, the Board concludes that a public purpose is served by continuing wage payments to all regular employees- contractual and noncontractual, salaried and non-salaried – who would otherwise suffer a loss in pay due to an emergency closure serves the public purpose of maintaining morale, reducing turnover, and ensuring continuity of District staffing when schools reopen;

WHEREAS, the Board believes the public purposes described above are fulfilled at this point by closing Weslaco ISD until a date to be determined by the Superintendent of Schools and allowing the Board to reserve the right to make further decisions 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 Weslaco 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.

In furtherance of the public purposes stated in this Resolution, the Board of Trustees of the Weslaco Independent School District makes the following decisions in order to efficiently and effectively prepare the school district in response to the declarations of emergency announced by the Governor of the State of Texas and the President of the United States:

1. The schools of the Weslaco Independent School District will close beginning on March 23, 2020 and remain closed until such time as determined by the Superintendent who is delegated such authority herein;
2. During this emergency closing, the Superintendent of Schools is delegated the authority to procure, negotiate, and execute contracts for goods and services that are necessary to mitigate, prevent, restore, and repair damage caused to Weslaco Independent School District equipment, personal property, and facilities or to protect the safety of Weslaco 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;
3. The Superintendent is delegated with the authority to identify essential personnel that may be required to work during the emergency closing;
4. The Board authorizes continued wage payments to all regular employees – contractual and noncontractual, salaried and non-salaried – who are instructed not to work during the emergency closing;
5. Consistent with WISD Policy DEA (Local) the Board authorizes payment of nonexempt (hourly) employees, who are required to work during the emergency closure, at a premium rate of one and one-half times their regular rate of pay for all hours worked up to 40 hours per week. Overtime for time worked over 40 hours in a week shall be calculated and paid according to law. The Superintendent or her designee shall approve payments and ensure that accurate time records are kept of actual hours worked during the emergency closing.
6. The authority granted by this Resolution to continue wage payments of idled employees is effective for the duration of the emergency closure unless the Board takes action to authorize payment for a different duration; and
7. The Superintendent is delegated with 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, staff development days or any matters related to the emergency closures as part of this Resolution or other measures taken for the health and safety of students, staff and the community.

Adopted on this the 20th day of March, 2020, by the Weslaco Independent School District Board of Trustees.

ISIDORO NIETO
Board President

ANDREW GONZALEZ
Board Secretary

Dr. Rivera addressed the following points listed on the resolution and asked legal counsel for confirmation.

- #1. The Superintendent has the authority to continue keeping the schools closed without board approval. For example, Dr. Canales could decide if she wanted to close the schools for 3 or 4 weeks or until May without the need of having to call a special board meeting.

Mr. Ivan Perez confirmed that he was correct.

- #2. Was the Board going to set a limit on purchases? As Superintendent in Edcouch, Dr. Rivera was given a limit of \$200,000.00 - \$300,000.00 for purchases.

Mr. Nieto commented that he did not think Dr. Canales would make a purchase unless it was an emergency and therefore he did not see the need to set a limit .

Dr. Rivera made the motion to approve the resolution presented addressing measures for protection and well-being of students, staff, and community arising out of COVID-19 emergency. Andrew Gonzalez seconded the motion.

Mr. Lopez mentioned that he would like staff to extend the courtesy and inform the Board of any substantial purchase made over \$200,000.00.

The Board voted unanimously in favor of the motion made by Dr. Rivera and seconded by Andrew Gonzalez to approve the resolution presented addressing measures for protection and well-being of students, staff, and community arising out of COVID-19 emergency.

VIII. Adjournment

The meeting adjourned at 8:52 p.m.