WESLACO INDEPENDENT SCHOOL DISTRICT
THE RIGHT CHOICE

Board of Trustees
Armando Cuellar, Jr., President
Dr. Jaime Rodriguez, Vice President
Jesse Trevino, Secretary
Marcos De Los Santos
Andrew Gonzalez
Isidoro Nieto
Jaclyn Sustaita

Dr. Priscilla Canales
Superintendent of Schools

319 W. Fourth Street / P.O. Box 266, Weslaco, TX 78599-0266 • 956-969-6503

BOARD OF TRUSTEES

Meeting:	Special Board Meeting
Place:	Board Room/Virtual
Location:	319 W. Fourth Street
Date:	February 23, 2021
Time:	5:41 P.M.

THIS MEETING WAS POSTED ONLINE FOR AT LEAST 72 HOURS AS PERMITTED BY THE SUSPENDED PORTIONS OF THE TEXAS OPEN MEETINGS ACT AS APPROVED BY GOVERNOR ABBOTT. THE MEETING WAS LIVESTREAMED AT THE FOLLOWING WEB LINK: ***https://youtu.be/Mk-MZwpaeWI***

MINUTES

I. Call to Order

The meeting was called to order by Mr. Armando Cuellar, Board President.

II. Establishment of a Quorum

A quorum was established. The following board members were present.

Armando Cuellar, President
Dr. Jaime Rodriguez, Vice President
Jesse Trevino, Secretary
Marcos De Los Santos, Trustee
Isidoro Nieto, Trustee
Jaclyn Sustaita, Trustee

Mr. Andrew Gonzalez was absent.

III. Public Comments

The public had the opportunity to participate in public comments by registering no later than 5:15 p.m. at the following web link: ***https://www.wisd.us/superintendentboard/new-page*.**

No one signed up for public comments.

IV. Discussion and Possible Action to Approve a Resolution Regarding Wage Payments to District Employees During District Closing from February 15 through February 19, 2021, Due to Severe Winter Weather Conditions

On February 14, 2021, President Joseph R. Biden, Jr. declared that an emergency existed in the State of Texas and ordered assistance to supplement state and local response efforts due to the emergency conditions resulting from a severe winter storm beginning on February 11, 2021, and continuing. Therefore, in the spirit of ensuring the safety and security of all staff members due to the severe winter weather conditions,

power outages, lack of water, and internet service disruption, WISD employees were instructed not to report to work from Monday, February 15, 2021 through Friday February 19, 2021.

The Superintendent recommended that the Board approve the following resolution regarding continued wage payments to all regular employees-contractual and noncontractual, salaried and non-salaried- who were instructed not to report to work during an emergency closing due to severe winter weather conditions.

The resolution reads as follows:

WHEREAS, the Board is authorized by Texas Education Code section 45.105 to expend funds of 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 closing, most District employees are instructed not to report for work, and other employees may be called upon to provide emergency-related services;

WHEREAS, the Board finds that a need exists to address wage payments for employees who are idled and those required to work during emergency closings;

WHEREAS, the Board determines that 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 continuing wage payments to all regular employees— contractual and noncontractual, salaried and non-salaried—who suffer a loss in pay due to an emergency closing serves the public purposes of maintaining morale, reducing turnover, and ensuring continuity of District staffing when schools reopen; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Weslaco Independent School District authorizes continued wage payments to all regular employees—contractual and noncontractual, salaried and non-salaried—who are instructed not to report to work during an emergency closing.

Dr. Jaime Rodriguez made the motion to approve the resolution regarding continued wage payments to all regular employees-contractual and noncontractual, salaried and non-salaried-who were instructed not to report to work during an emergency closing due to severe winter weather conditions as presented. Isidoro Nieto seconded the motion and it passed unanimously.

V. Discussion and Possible Action to Approve a Resolution Regarding Premium Pay for Non-Exempt Employees Who Were Called in to Work During District Closing from February 15 through February 19, 2021, Due to Severe Winter Weather Conditions

During the district closure that occurred on Monday, February 15 through Friday, February 19, 2021, non-exempt employees from several departments were called in to work under inclement weather conditions.

•Food Service, Transportation, and Safety & Security Departments prepared and provided meals to students at two campuses (Mary Hoge MS and Memorial Elementary), and delivered meals in four school buses to several subdivisions.
•Some food service department employees from all cafeterias came in to inspect food in freezers and coolers in preparation for this week's back to school meals.
•Maintenance, Energy Management and Custodial Departments staff visited facilities district-wide to conduct visual inspections looking for possible damages as a result of the freezing weather.
•Non-Exempt employees from other departments also worked last week on items related to students, facilities or administrative items.

The Board is authorized by the 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.

Therefore, the Superintendent recommended that the Board approve the resolution regarding premium pay for non-exempt employees who were called in to work during district closing from February 15 through February 19, 2021, due to severe winter weather conditions.

The resolution reads as follows:

WHEREAS, the Board is authorized by Texas Education Code section 45.105 to expend funds of 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 closing, most District employees are instructed not to report for work, and other employees may be called upon to provide emergency-related services;

WHEREAS, the Board finds that a need exists to address wage payments for employees who are idled and those required to work during emergency closings;

WHEREAS, as to nonexempt employees who are called on to work during an emergency closing, the Board further concludes that payment of these employees at a premium rate, as provided at DEA(LOCAL), serves the public purposes of maintaining morale, providing equity between idled employees and employees who provide emergency-related services, and recognizing the services of essential staff;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Weslaco Independent School District authorizes that nonexempt employees who are required to work during an emergency closing shall be paid at the premium rate described at DEA(LOCAL).

The Board acknowledged that during an emergency closing, most District employees are instructed not to report for work, and other employees may be called upon to provide emergency-related services. Board Policy Section DEA (Local) Employee Compensation and Benefit, states under Premium Pay during Disasters as follows: "After authorization by resolution or other Board action and in accordance with such authorization, 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 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. [See DEAB] The Superintendent or designee shall approve payments and ensure that accurate time records are kept of actual hours worked during emergency closings."

Example: A non-exempt employee got paid 30 hours at regular rate (one time) for not coming to work that week. The same employee got paid 10 hours at 1 ½ times their hourly rate for the 10 hours worked. Hours not worked earned $10 per hour. Hours worked at premium pay, earned $15 per hour (1 ½ time).

Dr. Jaime Rodriguez made a motion to approve the resolution regarding premium pay for non-exempt employees who were called in to work during district closing from February 15 through February 19, 2021, due to severe winter weather conditions as recommended. Marcos De Los Santos seconded the motion and it passed unanimously.

Mrs. Sustaita thanked all the employees from the different departments who showed up to work during the cold weather. Board President Cuellar also extended his gratitude to those who left their families to come take care of the needs of the school district. The Board was very appreciative.

VI. Discussion and Possible Action to Approve the Submission of an Application to the Texas Education Agency for the Missed School Day Waiver for Campus/District Closure During the Week of February 15-19, 2021 Due to Severe Winter Weather Conditions

Superintendent Dr. Canales recommended that the Board approve the submission of the application to the Texas Education Agency for the missed school day waiver for campus/district closure during the week of February 15-19, 2021, due to severe winter weather conditions.

The waiver is being requested due to disruptions caused by the weather conditions that occurred the week of February 15-19, 2021. The district encountered electrical outages, internet service disruption, and/or water issues that required the closure.

The Texas Education Agency had previously allowed for 3 days of closure, but then added two additional days. The waiver will be submitted for all five days. Staff will not need to make up these days.

Mr. Isidoro Nieto made the motion to approve the submission of an Application to the Texas Education Agency for the Missed School Day Waiver for Campus/District closure during the week of February 15-19, 2021 due to severe winter weather conditions. Dr. Jaime Rodriguez seconded the motion and it passed unanimously.

VII. Discussion and Possible Action to Approve Procurement of Materials, Labor, and Other Services Needed for the Immediate Repairs of the Weslaco Independent School District Facilities and/or Equipment Damaged as a Result of the Severe Winter Weather Conditions the Week of February 15-19, 2021, Under the Authority of Texas Education Code Section 44.031 (H)

As a result of the severe winter weather conditions, power outages, lack of water, and internet service disruption in Weslaco, Texas, during the week of February 15-19, 2021, the district incurred severe damages to district facilities and/or equipment. Maintenance, Energy Management and Custodial Departments staff visited facilities district-wide that week to conduct visual inspections looking for possible damages as a result of the freezing weather. Principals and lead department heads visited their facilities.

- Staff confirmed damages to the north side of the main office building located in front of the District's Warehouse. Water pipes broke causing water leaks and damages to ceiling, floor, walls, furniture and equipment on the north side of the building.
- Insurance adjusters were contacted and were at the site today, Tuesday, February 23, 2021, to evaluate the damages.
- There are some damages to building sprinkler systems at some schools.
- Additional damages may be discovered later on, if they occurred, after equipment continues to be used in the district's operations.
- The district will need to repair facilities, and repair or replace equipment and furniture that may have been damaged.

Due to the emergency situation that the district faces as a result of the severe winter weather conditions, staff will procure those goods and services needed without following the normal procurement methods prescribed by law in the Texas Education Code Section 44.031, unless they can hire vendors/contractors that are approved as approved vendors with one of the various purchasing cooperatives of which Weslaco ISD is a member.

WISD will receive insurance reimbursement after all the assessments and paperwork are completed. Funding for these repairs and replacements will be obtained from the Local Construction Fund's Fund Balance.

Questions from the Board:

>Mr. Nieto wanted to know the percentage to be reimbursed from the insurance company.

- Mr. Mike De La Rosa shared that the district carries a $100,000 deductible for insurance.

>Mrs. Sustaita asked for clarification on the process used for obtaining vendors to do the repairs.

- Mr. Sanchez explained that the district would obtain approved vendors from the purchasing cooperatives for school facilities. In addition, staff is also looking at a vendor from the TIPPS Cooperative who provides restoration services.

>Mr. Nieto asked if the schools incurred any major problems as a result of the freeze.

- According to Mr. Oscar Riojas, the schools reported only minor damages, mainly with the sprinkler systems. The sprinkler systems froze because they were exposed to the freezing weather. The district will have to subcontract the work with vendors who have a specific license for repairing sprinkler systems. The major damage occurred at the Warehouse where water pipes broke causing water leaks and damage to ceiling, floor, walls, furniture and equipment on the north side of the building.

Dr. Jaime Rodriguez made the motion to approve and ratify the procurement of materials, labor, and other services needed for the immediate repairs of the Weslaco Independent School District Facilities and/or Equipment damaged due to the severe winter weather conditions the week of February 15-19, 2021, under the Authority of Texas Education Code Section 44.031 (H). Isidoro Nieto seconded the motion and it passed unanimously.

VIII. Adjournment

The meeting adjourned at 5:59 p.m.