

Minutes of Regular Meeting

The Board of Trustees Little Elm ISD

A Regular Meeting of the Board of Trustees of Little Elm ISD was held Monday, March 23, 2020, beginning at 6:00 PM in the Zellars Center for Learning and Leadership.

PRESENT: Board Vice President Jason Olson, Board Secretary Alejandro Flores, and Superintendent Daniel Gallagher.

VIRTUAL: Board President David Montemayor, Trustee Dan Blackwood, Trustee LeAnna Harding, Trustee Melissa Myers, and Trustee DeLeon English.

1. The Board recessed into Closed Meeting at 6:05 pm in PL1 at Zellars Center for Learning and Leadership as permitted by the Texas Open Meetings Act Code Subchapter 551.072 and 551.074. The Board and Superintendent discussed:
 - A. Personnel
 - B. LandThe Board reconvened at 6:44 pm.
2. Call to Order Open Session in the Board Room at Zellars Center for Learning and Leadership on 300 Lobo Lane, Little Elm, Texas 75068. Board Vice President Jason Olson called the meeting to order at 6:44 pm.
3. Pledge of Allegiance
There was no Pledge.
4. Invocation
There was no Invocation.
5. Introduction and Roll Call
Ms. Sonia S. Flores took roll call.
6. Superintendent Spotlight
Superintendent Daniel Gallagher spotlighted child nutrition staff, operations staff, teachers, and everyone for their support thru this difficult time.
7. Citizen Input
Audience participation shall be permitted at regular Board meetings and shall be limited to the public comment portion designated for that purpose
There was no citizen input.
8. Reports of the Superintendent
 - A. Update: LEISD Response to COVID-19
Dr. Cyndy A. Mika gave the Board an update on how LEISD is responding to COVID-19.

9. Action Items

A. Consider Superintendent's Contract

Board Vice President Jason Olson announced that this item is postponed for a future meeting.

B. Consider Resolution Regarding Delegation of Authority During the COVID-19 Emergency

Superintendent Daniel Gallagher shared with the Board this resolution.

Board Secretary Alejandro Flores made the first motion to approve as submitted. Trustee Melissa Myers seconded the motion. The motion passed (7-0). The resolution reads as follows:

WHEREAS, the Board of Trustees (“Board”) of the Little Elm Independent School District (“District”) is authorized by Texas Education Code § 11.151 to govern and oversee the management of the public schools in the District;

WHEREAS, on March 13, 2020, the Governor of the State of Texas declared a statewide emergency, and, later that same day, the President of the United States declared a national emergency regarding COVID-19;

WHEREAS, the Board recognizes that COVID-19 is an unforeseen and unavoidable emergency of urgent public necessity, that the World Health Organization has declared COVID- 19 a pandemic, and that additional emergency declarations may follow in the coming days and weeks;

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 seeks to retain its employees, reduce turnover, increase morale, help employees focus on work-related matters while at work, and facilitate the return to duty of employees if schools are closed and believes that an additional public purpose exists in doing so; and

WHEREAS, the Board believes the public purposes described above are fulfilled by efficiently and effectively making certain delegations, as described more fully herein, to the Superintendent 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 Little Elm 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 so stated in this Resolution, the Board of Trustees of the Little Elm Independent School District makes the following delegations to the Superintendent and designee(s) in order to efficiently and effectively prepare the school district in response to the declarations of emergency announced by the State of Texas, as well as in

preparation for the potential declarations of emergencies by other local, state, and/or national and international officials:

1. The authority to act in the place of the Board under Board Policy DEA(LOCAL) and thus make all decisions regarding payment of employees during an emergency closure, to implement the provisions of Board Policy DEA(LOCAL), and to make determinations regarding the purpose and parameters of any such payments;
2. The authority to make decisions regarding the compensation of exempt employees during an emergency closure, including premium payments to certain employees, and to implement those decisions;
3. The authority to alter the Little Elm ISD 2019-2020 school calendar by changing and/or adding school/instructional hours and work/school days as necessitated by any emergency closure or related concerns;
4. The authority to create guidelines and make determinations regarding absences, leave time, leave days, and compensation of any employee who is quarantined as a result of COVID-19 and/or who tests positive for COVID-19 and who presents appropriate medical documentation regarding themselves and/or an immediate family member, in the sole discretion of the Superintendent or designee(s), in compliance with Texas and federal law;
5. 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, or any matters related to the emergency closures as part of this Resolution;
6. The authority to declare a catastrophe and take all actions as appropriate in accordance with Texas Government Code Section 552.233 regarding temporary suspension of the Texas Public Information Act;
7. The authority to procure, negotiate, and execute contracts for goods and services that are necessary to mitigate, prevent, restore, and repair damage caused to Little Elm ISD equipment, personal property, and facilities or to protect the safety of Little Elm 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;
8. In the event other waivers or immediate action is needed, the Superintendent is authorized to take other action and to submit/apply for other waivers in accordance with guidance and instructions from the national and state authorities and/or agencies;
9. The authority to suspend the timelines for complaints/grievances under Board policies DGBA (Local), FNG (Local) and GF (Local); and
10. The authority granted by this resolution is effective for a closure with a

maximum duration of 30 business and/or school days unless the Board takes action to authorize such delegations for a longer duration.

C. Consider Resolution to Postpone May 2nd 2020 Election to November 3rd 2020 Superintendent Daniel Gallagher briefed the Board on this item. Trustee Dan Blackwood made the first motion to approve this resolution as presented. Trustee DeLeon English seconded the motion. The motion passed (6-0-1). Trustee LeAnna Harding abstained.

The resolution reads as follows:

WHEREAS, the Board of Trustees (“Board”) of the Little Elm Independent School District (“District”) is authorized by Texas Education Code § 11.151 to govern and oversee the management of the public schools in the District; WHEREAS, on March 13, 2020, the Governor of the State of Texas declared a statewide emergency, and, later that same day, the President of the United States declared a national emergency regarding COVID-19; 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; and

WHEREAS, on March 18, 2020, the Governor of the State of Texas issued a proclamation suspending certain provisions of the Texas Election Code and the Texas Water Code to allow all local political subdivisions that are utilizing the May 2, 2020 uniform election date to postpone their election to the November 3, 2020 uniform election date.

IT IS THEREFORE ORDERED THAT the Board of Trustees is exercising the authority to postpone the May 2, 2020 election date to the November 3, 2020 uniform election date.

By this **ORDER**, it is confirmed that:

1. Candidate filings for the election will remain valid for the election held on the November date and that the filing period will not be re-opened for the November election date;
2. All applications for a ballot by mail (“ABBMs”) for voters that are voting by mail due to being over the age of 65 or due to disability will still be valid for the postponed election, and that ABBMs for voters who submitted ABBMs based on expected absence from the county would not be valid for the postponed election.

The major relevant dates for the November election are, as follows:

Voter registration deadline - October 5, 2020
Deadline to submit an ABBM - October 23, 2020
Dates for early voting - October 19, 2020 – October 30, 2020

D. Consider Possible Action to Order Election to Authorize Board to Address Excess Local Property Tax Wealth Pursuant to Chapter 49 of The Texas Education Code
Mr. Grant Anderson briefed the Board on this item. LEISD will be required to

pay Recapture (reduce its Local Revenue) for the 2020-2021 school year pursuant to Chapter 49 (formerly Chapter 41) of the Texas Education Code. Trustee LeAnna Harding made the first motion to approve the item as submitted. Trustee Melissa Myers seconded the motion. The motion passed (7-0).

10. Consent Agenda

- A. Consider Proposed Policy Change - DNA (LOCAL)
Presenter: Dr. Chad Teague
 - B. Consider General Fund FTEs for the 20-21 School Year
Presenter: Dr. Chad Teague
 - C. Consider Teacher and Other Professional Contract Recommendations and Letters of Reasonable Assurance
Presenter: Dr. Chad Teague
 - D. Consider Allotment and TEKS Certification, 2020-2021
Presenter: Dr. Cyndy A. Mika
 - E. Consider Financial Reports
Presenter: Grant Anderson
 - F. Consider Little Elm ISD Expenditures over \$50,000 Summary Report
Presenter: Grant Anderson
 - G. Consider Gifts and Donations
Presenter: Grant Anderson
 - H. Consider 2019/20 Capital Outlay Projects
Presenter: Rod Reeves
 - I. Consider Little Elm ISD 2020 Roof Management Program
Presenter: Rod Reeves
 - J. Consider Professional Services Proposal from Corgan
Presenter: Rick Martin
 - K. Consider Professional Services Proposal from HKS, Inc.
Presenter: Rick Martin
Board President David Montemayor made the first motion to approve the consent agenda as submitted. Board Secretary Alejandro Flores seconded the motion. The motion passed (7-0).
11. Board President Comments
Board President David Montemayor thanked Trustees Olson and Flores for being physically available for this meeting. Mr. Montemayor also thanked the Superintendent and Cabinet.
12. Board Comments
There were no Board comments.
13. Superintendent Comments
There were no Superintendent comments.
14. Adjournment
Trustee DeLeon English made the first motion to adjourn meeting. Board President

David Montemayor seconded the motion. The motion passed (7-0).
The meeting adjourned at 7:37 pm.

The minutes were approved on April 20, 2020.


Board President – David Montemayor


Board Secretary – Alejandro Flores