

Minutes of EMERGENCY Meeting

The Board of Trustees Big Spring Independent School District

An EMERGENCY Meeting of the Board of Trustees of Big Spring Independent School District was held Tuesday, March 17, 2020, beginning at 6:15 PM in the High School Board Room at 707 11th Place, Big Spring, Texas.

Such an Emergency meeting is authorized under Texas Government Code § 551.045 due to the presence of an urgent public necessity and imminent threat to public safety that requires immediate Board action concerning school closures, expenditure of public funds and implementation of alternate instruction methods in response to an imminent threat to public safety in light of the COVID-19 outbreak, declared to be a world-wide pandemic by the World Health Organization and the subject of a Disaster Declaration by the Governor of the State of Texas.

Members Present: Fabian Serrano, Maria Padilla, Melissa Miller, Manny Chavira, Tom Olague, Julie Harris

Members Absent: Chad Wash

Administration Present: Jay McWilliams, George Bancroft, Raemi Thompson, Susan Bryan, Melissa Tarbet

Recording Secretary: Charlotte Childress

News Media Present: Adrienne Green, KBST Media; Connor Brinson, City of Big Spring

Others: Jamie Scott

1. Opening of Meeting – Fabian Serrano called the meeting to order at 6:15 pm and declared it in open session.

- A. Prayer
- B. Pledge

2. Public Comments – There were no public comments.


3. Action Items

- A. Consideration and action on a Resolution delegating to the Superintendent authority to make emergency modifications to District policies as needed to provide for, without limit, closure of schools, remote instruction and the expenditure of public funds, arising from the Governor Disaster Declaration and to mitigate public health risks during the COVID-19 worldwide pandemic
Motion was made by Melissa Miller to approve the Resolution. Julie Harris seconded the motion. Motion carried 6-0.

4. Adjournment

Fabian Serrano adjourned the meeting at 6:31 pm.

Date: April 9, 2020



Board President, Fabian Serrano



Board Secretary, Melissa Miller

Motion #5613
Approve Emergency Resolution

**A RESOLUTION RELATING TO EMERGENCY
MODIFICATIONS TO POLICIES, CLOSURE OF DISTRICT SCHOOLS AND
THE EXPENDITURE OF PUBLIC FUNDS
DURING THE GOVERNOR-DECLARED STATE OF DISASTER
TO MITIGATE EFFECTS OF COVID-19**

At a lawfully called Emergency Board meeting on March 17, 2020, as authorized by Texas Government Code § 551.045, the Board of Trustees (the “Board”) of Big Spring Independent School District (“BSISD” or the “District”) does hereby make the following Resolutions regarding the emergency modification of Board Policies, closure of District schools, provision of alternate methods of instruction, the expenditure of public funds, and other matters incident and related thereto:

WHEREAS, the District was made aware on March 11, 2020, that the World Health Organization declared the spread of the novel coronavirus (“COVID-19”) a global pandemic; and

WHEREAS, the President of the United States on March 13, 2020, issued a proclamation declaring a “National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak”; and

WHEREAS, the Governor of the State of Texas on March 13, 2020, certified that COVID-19 posed an imminent threat of disaster, and in accordance with the authority vested in the Governor by Section 418.014 of the Texas Government Code, the Governor declared a state of disaster for all counties in Texas (the “Disaster Declaration”); and

WHEREAS, COVID-19 could be spreading in the state and its presence in the BSISD community cannot be currently ascertained; and

WHEREAS, the County, the State, Texas governmental bodies and businesses have taken precautions to protect their citizens, workers, and patrons from circumstances in which COVID-19 may easily spread, including without limitation, suspending operations or continuing to operate through remote methods such as telecommuting; and

WHEREAS, the District’s Board of Trustees wishes to delegate any and all authority to the Superintendent of Schools during this period of declared global pandemic and statewide disaster to make decisions that will be in the best interests of the District and its student, parents and employees and place the District in the best position to resume its normal operations with its students, parents and staff as soon as it is safe to do so;

NOW BE IT THEREFORE RESOLVED that the statements contained in the preamble of this Resolution are true and correct and adopted as findings of fact and operative provisions hereof; and

BE IT FURTHER RESOLVED that the District’s Board of Trustees delegates to the Superintendent of Schools any and all authority to modify the District’s locally-adopted Board policies at his sole discretion that he deems to be in the best interests of the District for a period of 45 days following the adoption of this Resolution, or until the March 13, 2020 Disaster Declaration is lifted or expires, in order to react to the situations that may be present in the District during the state-declared disaster period in order to mitigate the public health risks of COVID-19;

BE IT FURTHER RESOLVED that the delegated authority to the Superintendent of Schools to modify any and all Board policies set forth above includes, without limitation: closing District schools, establishing methods of remote instruction and providing paid leave to exempt and/or non-exempt employees in addition to the leaves and absences currently permitted under Board Policy, should the Superintendent determine that such actions would protect the health and safety of District students, employees and/or their families;

BE IT FURTHER RESOLVED that the District's Board of Trustees makes the following finding regarding the expenditure of public funds for any pandemic-related personnel expenses incurred by BSISD in order to maintain and/or resume its normal operations at its facilities as soon reasonably possible and as the Superintendent determines that school closures are needed and subsequently safe to open, should he determine that a modification to the ordinary workplace attendance be required:

FINDING: Expending public funds for additional employee paid leave related to the mitigation of the spread of COVID-19 is reasonable because of the following:

- (1) The predominant purpose of providing the additional paid leave is to mitigate against the spread of a virus that constitutes an imminent threat to the health and safety of District, students, employees and their families, not to benefit unaffected private parties;
- (2) The District will retain sufficient control over the distribution and use of the pandemic-related additional leave to ensure that the public purpose is accomplished; and
- (3) The District will receive the significant benefit of being able to quickly resume its operations at its facilities with all or most of its highly trained and experienced staff following the passing of the COVID-19 threat and, thereby, continue to provide instruction and services to students as they received before the COVID-19 outbreak; and


BE IT FURTHER RESOLVED that the Superintendent of Schools is directed to keep a list of the modifications he makes to Board Policies and report those modifications to the Board at the time such modifications are made and at the first Board meeting following the exercise of the delegated authority herein; and

BE IT FURTHER RESOLVED that the District's Board of Trustees authorizes the Superintendent of Schools and District administration to take any and all action necessary to carry out the wishes of the Board as expressed in this Resolution, and the delegation of authority as set forth in this Resolution shall expire at the end of 45 days following the adoption date of this Resolution or until the March 13, 2020 Disaster Declaration is lifted or expires; and

BE IT FURTHER RESOLVED that this Resolution meets the requirement set forth in Board Policy DEA(LOCAL) for payment to employees during a time of emergency if the Superintendent determines that it is in the best interests of the District.

This Resolution shall be in full force and effect from and after its passage, and it is so resolved.

PASSED AND APPROVED ON THIS 17 DAY OF MARCH, 2020.



President, Board of Trustees

Secretary, Board of Trustees