

**The Varnett Public School
BOARD OF DIRECTORS
EMERGENCY CALLED MEETING
March 20, 2020 at 12:00 p.m.
Via Telephone**

Notice is hereby given pursuant to Texas Government Code Sections 551.125 and 551.045 that due to the state of emergency declared by officials of Houston and Harris County, Governor Abbott on behalf of the State of Texas, and President Trump on behalf of the United States of America regarding the spread of coronavirus/COVID-19 (hereafter “COVID-19”), The Varnett Public School (VPS) Board of Directors will meet via telephone in an emergency called meeting on March 20, 2020, beginning at 12:00 p.m. An emergency exists that requires immediate action of the Board of Directors because of an imminent threat to public health and safety and/or a reasonably unforeseeable situation, specifically the spread of COVID-19. Additionally, a determination is made that the convening at one location of a quorum of the VPS Board of Directors is difficult or impossible, given the emergency/disaster declarations and the mandates to socially distance.

Governor Abbott temporarily suspended a number of open meetings laws in response to COVID-19, allowing governmental entities, including VPS, to conduct meetings by telephone or video conference. Notice is hereby given that VPS intends to conduct this emergency called meeting via telephone. As required by the temporary suspension, VPS:

- Has provided online written notice containing a public toll-free dial-in number, as well as an electronic copy of any agenda packet, before conducting this telephonic meeting; specifically, the public may use the following toll-free dial-in number: (844) 802-6666 Access code: 805624#;
- Will provide the public with access and a means to participate in the emergency called meeting, through two-way audio connection; and
- Will provide the public with access to a recording of the meeting.

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1. Opening Items

A. Call to Order

B. Declaration of Quorum

Stated for the record, the names of trustees representing the quorum and the notice has been posted in the time and manner required by law.

2. Consider adoption of Resolution approving actions relating to COVID-19 emergency and delegating authority to the Superintendent to take all actions as may be necessary in regards to the same.

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

Certification as to Posting or Giving of Notice

This notice was posted in compliance with the Texas Open Meetings Act (TOMA) and Governor Abbott's temporary suspension of certain TOMA requirements, at least 1 hour prior to the emergency called board meeting, on March 20, 2020 at 12:00 p.m. This notice was posted on VPS's website and is readily accessible to the public upon request.

Margaret Stroud, Ed.D.

**RESOLUTION OF THE BOARD OF TRUSTEES OF
VARNETT PUBLIC SCHOOL
COVID-19 VIRUS**

WHEREAS, the Varnett Public School Board of Trustees 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, that the President of the United States has declared a national emergency regarding the spread of COVID-19, Texas Governor Abbott has declared a state of emergency, Harris County has declared an emergency, and that additional emergency declarations may follow in the coming days and weeks; and,

WHEREAS, the Varnett Public Schools Board of Trustees 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, the Board of Trustees of Varnett Public Schools 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 of Trustees of Varnett Public Schools 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 Varnett Public Schools 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; and,

FURTHER RESOLVED THAT the Board of Trustees of Varnett Public Schools finds a public purpose also exists in retaining its employees, reducing turnover, increasing morale, helping employees focus on work-related matters while at work, and facilitating the return to duty of employees if schools are closed; and,

FURTHER RESOLVED THAT in furtherance of the public purposes so stated in this Resolution, the Board of Trustees of Varnett Public Schools makes the following delegations to the Superintendent in order to efficiently and effectively prepare the school district in response to the declarations of emergency announced by the United States, the State of Texas, and Harris County and independently 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 of Trustees and make all decisions regarding payment of employees during an emergency closure and/or altered operations and to make determinations regarding the purpose any such expenditures;
- (2) The authority to make decisions regarding the compensation, if any, of exempt and non-exempt employees who may be required to report to work or work remotely during an emergency closure and/or altered operations and to implement those decisions;
- (3) The authority to implement an educational program for students served by VPS during the closure/altered operations;
- (4) The authority to postpone, suspend, or cancel regular Board meetings and to call special, called meetings during the closure in the interest of health and safety after consultation with the Board President;
- (5) The authority to alter the Varnett Public Schools 2019-2020 school calendar by changing and/or adding school/instructional hours and work/school days as necessitated by any emergency closure/altered operations or related concerns;
- (6) 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 her designee, in compliance with Texas and federal law;
- (7) 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; and
- (8) 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.

FURTHER RESOLVED THAT (1) the emergency of COVID-19 and its potential spread constitutes an unforeseen emergency/matter of urgent public necessity; (2) 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; and (3) the Superintendent and her designee(s) are authorized to procure, negotiate, and execute contracts for goods and services that are necessary to mitigate, prevent, restore, and repair damage caused to Varnett Public School equipment, personal property, and facilities or to protect the safety of Varnett Public School students and staff;

and (4) the Superintendent shall inform the Board of Trustees of all emergency purchases made hereunder at the next regular Board meeting following such purchases; the Superintendent's emergency authority as contemplated in this Resolution shall expire when the State of Emergency resulting from the COVID-19 pandemic is declared over or expires or when Varnett Public School resumes normal operations, whichever occurs first. This time period to exercise delegated powers shall apply to each delegation in this Resolution.

Each of the foregoing delegations are conditioned upon the Superintendent informing the Board in writing of her intended actions under these delegated powers in advance of exercising these powers and subject to the right of the Board to hold a meeting to assume such powers directly.

FURTHER RESOLVED THAT the Board of Directors of the Varnett Public School temporarily waives any requirement or allowance of public comment/citizen inquiry at Board meetings as provided for by board policy until such time that VPS assumes normal operations; and

FURTHER RESOLVED THAT during this time of altered operations, VPS administrative offices are considered closed and its physical offices are considered closed for purposes of a public health and epidemic response.

CERTIFICATE FOR RESOLUTION

I hereby certify that the foregoing resolution was presented to the Board of Trustees of the Varnett Public School during a special called meeting March 20, 2020, a quorum of the Board of Trustees being then present, it was then duly moved and seconded that the resolution be adopted, and such resolution was then adopted according to the following vote:

Ayes: _____
Nays: _____
Abstentions: _____

To certify which, witness my hand and the official seal of the Varnett Public School this 20th day of March, 2020. This Resolution may be signed electronically and in counterparts.

Matthew Plummer
President, Board of Directors

ATTEST:

Clarence White III
Secretary, Board of Directors