

**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 Varnet 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 Varnet 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.

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.

FURTHER RESOLVED THAT the Superintendent shall communicate all actions she takes by virtue of the authorities delegated to her under this Resolution to the Board President on at least a weekly basis and to the entire Board at the next meeting of the Board.

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:

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| Ayes: | <u>4</u> |
| Nays: | <u>0</u> |
| Abstentions: | <u>0</u> |

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